



OFFICE OF CORPORATION COUNSEL

Milwaukee County

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1

INTER-OFFICE COMMUNICATION

DATE: September 26, 2011

TO: Honorable Committee on Personnel

FROM: John Jorgensen, Principal Assistant Corporation Counsel

SUBJECT: **Advisory Legal Memorandum;** Salary adjustment for Executive Director
3 – Director of Parks

The above referenced salary adjustment was included with the regular monthly informational reports provided to your honorable committee by the Interim Director of Human Resources for your September 23, 2011. It has been reported to us that, at that meeting, a member of your committee interposed an objection that that salary adjustment, whereupon the committee treated the matter as a separate item and laid it over “to the call of the chair”.

The apparent intent of the committee in taking the action described in the foregoing paragraph was to hold the salary adjustment “in abeyance” indefinitely. In our opinion, the committee’s action did not have that effect, and there is no impediment to implementing the salary adjustment.

The committee’s understanding of the effect of its action is premised on the belief that a salary adjustment for a department head in the Executive Director group is governed by the procedure in s. 17.10, M.C.G.O., “Advancement within a pay range” (All further section references are to the Milwaukee County General Ordinances). Under that procedure, a request by a department head to advance an employee one or more additional steps in his or her pay range may be held “in abeyance”, pending resolution by the county board, if a member of the county board makes a timely objection to the decision of the human resources director to approve the advancement.¹

¹ Even if s. 17.10 did apply, it is not clear that there was a timely objection to the salary adjustment. The informational report of the Interim Director of Human Resources was issued August 29, 2011. Under s. 17.10, a supervisor who objects to an advancement must state that objection within 7 working days of receiving the report. Also, it is unclear whether a motion to lay over to the call of the chair would be in order. County Board rules do not provide for such a motion, s. 1.07(b)11. To the extent that the motion would be treated as one to postpone indefinitely, and thus prevent action by the county board, it would be inconsistent with a reasonable interpretation of s. 17.10, which contemplates county board action on the recommendation of the committee.

However, s. 17.10, does not apply to a salary adjustment for an individual in the Executive Director group. By its terms, s. 17.10 applies only to an employee whose position has a pay range that advances through step increases. Compensation for Executive Directors is governed by s. 17.27, "Appointed Executive Salary Group". The resolution that created s. 17.27 shows clearly that the county board purposefully eliminated pay ranges with step increases for high-ranking administrators in the Executive Director group and replaced that concept with a "broadband compensation system" that is intended to increase pay flexibility for recruitment and retention purposes. The resolution adopted by the county board on June 24, 2004 (and again on September 30, 2004, overriding the veto of the county executive) expressly incorporates policy recommendations of the Division of Resources, including the following:

- A broadband compensation system would be established to ensure the retention of the basic concept of a "pay for performance," to simplify the classification and compensation structure, to increase pay flexibility for recruitment and retention purposes, and to enable management to compensate employees for significant changes in job duties, increased competencies and employee meritorious performance. **The broadband structure would eliminate the steps, salary step increases and automatic raises.**

Sec. 17.27 does not include a procedure whereby a supervisor or committee can "hold in abeyance" a salary adjustment for a department head in the Executive Director group. On the contrary, the resolution that created the ordinance requires only that salary adjustments within the broadband salary ranges be reported to Committee on Personnel for informational purposes:

BE IT FURTHER RESOLVED, that these positions [which included and still includes Executive Director 3 – Director of Parks] will be maintained at their current annual salary and **that future salary adjustments shall be provided in an informational report to the Committee on Personnel in a timely manner; . . .**

See, County Board File No. 04-240.

In this case, the county executive has adjusted the salary of an Executive Director 3 within the authorized broadband salary range and for purposes consistent with the resolution that created s. 17.27. That action was reported to your honorable committee, as required by the resolution. No action by the committee or the county board is required. The county board does not have authority to delay or override salary adjustments for department heads and administrators in the Executive Director group if those adjustments are within the appropriate broadband salary range.

Respectfully submitted,



JOHN JORGENSEN
Principal Assistant
Corporation Counsel

APPROVED:



KIMBERLY R. WALKER
Corporation Counsel

COUNTY OF MILWAUKEE
DAS - Department of Human Resources
INTER-OFFICE COMMUNICATION

DATE : October 28, 2011

To : Committee on Personnel

Candace M. Richards

FROM : Candace M. Richards, Interim Director of Human Resources

SUBJECT : **Informational Report for 10/28/2011
Personnel Committee Meeting**

Attached are a series of informational reports listing various personnel transactions that the Director of Human Resources intends to approve for implementation.

These reports (***reclassifications, advancements within the pay range, reallocations, and revisions to ECP***) are provided in accordance with the provisions of Chapter 17 and may be included on the agenda of the October 28, 2011 Personnel Committee Meeting for informational purposes.

In the event the Personnel Committee takes no action, the transactions noted on the reports will be implemented.

CMR:rly

Copy: HR Managers

Personnel Committee Meeting Date: October 28, 2011

Reclassification Report

In accordance with the provisions of 17.05 of the Milwaukee County General Ordinances, the Director of Human Resources intends to reclassify the position noted below. The Department of Administration has verified that funds are available within the adopted budget to cover the cost associated with this action.

Requestor	Org	Position	Current Classification (Title)	Current Pay Range	Proposed Classification (Title)	Proposed Pay Range	Current Year Impact (Top Step)	Annual Year Impact	Reason
*Family Care	7900	56160	Human Service Worker Aging	16C	Human Service Worker Family Care	16C	\$0	\$0	Retitle
**Family Care	7900	44890	Registered Nurse 2 Aging	18N	Registered Nurse 2 Family Care	18N	\$0	\$0	Retitle
Child Support	2430	89100	Manager, Family Support	916E	Fiscal & Budget Manager CSE	916E	\$0	\$0	Retitle
Economic Development	5804	07899	Economic Development Specialist	26M	Economic Development Coordinator	32M	\$1,968	\$12,797	Change in Duties
Total							\$1,968	\$12,797	

*5 positions

**8 positions

Personnel Committee Date: October 28, 2011

ADVANCEMENT WITHIN THE PAY RANGE REPORT

In accordance with the provisions of 17.10 of the County General Ordinances, the Director of Human Resources intends to approve the advancement within the pay range for the positions noted below. The Department of Administration has verified that funds are available within the adopted budget to cover the cost associated with these actions.

REQUESTOR	DEPT ORG UNIT	TITLE CODE NO POS	CURRENT CLASSIFICATION		CURR YEAR	SUB YEAR	PAY RANGE STEPS	PAY RANGE VALUE	REASON
County Board	1000	84600-00001	Adm Sec Asst Chief Comm Clk	From Step 4 to Step 5 PR 26M	\$ 430.00	\$ 2,803.00	01	\$23.8993	Performance Increase
							02	\$24.7463	
							03	\$25.8665	
							04	\$26.2029	
							05	\$27.4501	
County Board	1000	85291-0001	Adm Sec 2-Exec Sec	From Step 4 to Step 5 PR 23M	\$ 378.00	\$ 1,971.00	01	\$21.6891	Retention
							02	\$22.3951	
							03	\$23.1321	
							04	\$24.0086	
							05	\$24.8854	
County Clerk	3270	82200 - 0001	Deputy County Clerk	From Step 5 to Step 7 PR 913E	\$ 301.00	\$ 1,965.00	01	\$23.3092	Performance Increase
							02	\$24.1198	
							03	\$25.6407	
							04	\$26.8060	
							05	\$27.9712	
							06	\$28.8455	
							07	\$29.7192	
							08	\$30.3022	
Total					\$ 808.00	\$ 4,774.00			

Personnel Committee Date: October 28, 2011

REALLOCATION REPORT

In accordance with the provisions of 17.055 of the County General Ordinances, the Director of Human Resources intends to reallocate the positions noted below. The Department of Administration has verified that funds are available within the adopted budget to cover the cost associated with these actions. Fiscal note only reflects costs of wages and social security.

<u>DEPT</u>	<u>DEPT</u> <u>ORG</u>	<u>TITLE</u> <u>CODE</u>	<u>AUTH</u> <u>POS</u>	<u>FILLED</u> <u>POS</u>	<u>CURRENT CLASSIFICATION</u>	<u>CURRENT</u> <u>PAY RANGE</u>	<u>RECOMMENDED</u> <u>PAY RANGE</u>	<u>CURR YEAR</u>	<u>SUB YEAR</u>	<u>MAX YEAR</u>	<u>REASON</u>
1000	1000	84672	1	1	Adm Sec 2 - Asst to the Chief of Staff	23M	25M	\$ 454.00	\$ 2,961.00	\$ 2,961.00	Retention


REVISIONS TO ECP REPORT
Personnel Committee Meeting
October 28, 2011

Currently, there are no "Revisions to ECP" to report.

COUNTY OF MILWAUKEE
DAS - Department of Human Resources
INTER-OFFICE COMMUNICATION

DATE : October 28, 2011

To : Committee on Personnel



FROM : Candace M. Richards, Interim Director of Human Resources

SUBJECT : **Informational Reports 10/28/2011**
For Personnel Committee Meeting

Attached is an informational report listing ***appointments at an advanced step of the pay range***, which the Director of Human Resources intends to approve for implementation.

These reports are provided in accordance with the provisions of Chapter 17 of the County General Ordinances and may be included on the agenda of the October 28, 2011 Personnel Committee Meeting for informational purposes

In the event the Personnel Committee takes no action, the transactions noted on the reports will be implemented.

CMR:rly

Attachment

Appointments At An Advanced Step Of The Pay Range

Personnel Committee Report

October 28, 2011

REQUESTOR	ORG UNIT	PREVIOUS CLASSIFICATION	CURRENT CLASSIFICATION	PREVIOUS PAY GRADE	CURRENT PAY GRADE	SALARY RANGE ANNUALIZED	STEPS IN PR	APPT STEP	REQUESTED STEP AMOUNT	REQUESTED STEP AMOUNT ANNUALIZED	PREVIOUS SALARY	DIFFERENCE IN ANNUAL PAY	CURRENT YEAR FISCAL IMPACT	JUSTIFICATION
BHD	6325	RN2	RN 3 MH	18N	27MN	\$56,225.94 - \$70,383.87	9	8	\$32.15	\$66,872.42	\$61,340.20	\$5,532.22	\$1,271.00	TRG/EXP*
Parks	9020	Admin Spec - HR	Park Operations Analyst II	7PM	22M	\$43,344.70 - \$49,937.88	5	5	\$24.01	\$49,937.89	\$47,029.42	\$2,908.47	\$963.00	Promotion

In accordance with the provisions of 17.09(3) of the County General Ordinances, the Director of Human Resources must file an informational report with all County Board Supervisors relative to all new appointments at an advanced step of the pay range.

COUNTY OF MILWAUKEE
DAS - Department of Human Resources
INTER-OFFICE COMMUNICATION

DATE : October 7, 2011

To : Committee on Personnel



FROM : Candace M. Richards, Interim Director of Human Resources

SUBJECT : **Informational Reports 10/28/2011**
For Personnel Committee Meeting

Attached are a series of informational reports relative to ***dual employment, emergency appointment, and temporary appointment***. Reports reflect updates through the end of pay-period 1. Also included is an informational report relative to ***temporary assignments to a higher classification***, which is updated through October 7, 2011.

These reports are provided in accordance with the provisions of Chapter 17 of the County General Ordinances.

CMR:bdv

Attachment

**Dual Employment Report
Personnel Committee Meeting
October 28, 2011**

Organizational Unit	Name	Current Classification	Current Pay Range	Dual Employment	Dual Employment Pay Range
Parks Department	Terrance Wycklendt	Process Server (HR)	16	Umpire	52
Parks Department	John Quinlan	Public Services Manager	26M	Umpire	52
Parks Department	Alyssa Kruegar	Park Unit Coordinator 1	22M	Umpire	52
Parks Department	Nick Spence	Park Worker 3 Seasonal	5108	Umpire	52
Parks Department	Kevin Quinlan	Food Service Operator Seasonal	9	Umpire	52

10/7/2011 3:31 PM

Emergency Appointment Report
Personnel Committee Meeting
October 28, 2011

Requestor	Dept	Last Name	First Name	Title Description	Employee Class	Status	Emergency Appt Date	Pay Range
Sheriff's Office	4372	Moreno	Sylvia	Clerical Assistant 2	F	A	4/6/2011	04P

Total Employees = 1

DAS - DHR	1141	Santillan	Maria	Human Resources Analyst 1 - Bil/Span	F	A	4/4/2011	17JM
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Total Employees = 1

Grand Total of Employees: 2

**Temporary Appointment Report
Personnel Committee Meeting
October 28, 2011**

Requestor	Dept	Last Name	First Name	Title Code	Title Description	Emp Class	Status	# of Hours in Payroll Period	Temporary Appt Date	Appt Type
GMIA - Maintenance - General	5051	Benjamin	Christopher	32450	Airport Mtce Wkr	F	A	80	5/2/2011	TA

Total Employees : 1

Grand Total of Employees: 1

Temporary Assignment to a Higher Classification (TAHC) Report
Personnel Committee Meeting
October 28, 2011

<u>Dept</u>	<u>First Name</u>	<u>Last Name</u>	<u>Current Job Title</u>	<u>Pay Range</u>	<u>Start Date</u>	<u>Ext.</u>	<u>End Date</u>	<u>New Job Title</u>	<u>Pay Range</u>
Aging	Tamarra	Carr	Human Services Worker (Aging)	16C	10/15/2011	*	01/14/12	Unit Supervisor (LTS)	26M
CSE	Tarsha	Stallworth	Office Support Assistant 2	02P	5/9/2011		until filled	Executive Assistant Child Support	06PM
Clerk of Courts	Kerry	Rivera	Clerical Specialist-Courts	05P	9/22/2011		11/17/11	Administrative Specialist-Courts NR	07PM
DAS - DHR	Bonica	Voss	Clerical Specialist HR NR	05PM	9/19/2011		12/17/11	Administrative Specialist HR NR	7PM
DAS - DHR	Candace	Richards	Human Resources Mgr DHHS	916E	10/3/2011	*	until filled	Exec Dir3 Dir Human Resources	902E
DAS - ERS	Marian	Ninneman	Business Manager	31M	7/11/2011	*	until filled	Exec. Dir. 1-ERS-Manger	901E
DAS - Fiscal Affairs	Pamela	Bryant	Capital Finance Manager	917E	9/26/2011	*	12/24/11	Exec Dir3-Fiscal & Budget Manager	903E
DAS - Fiscal Affairs	Justin	Rodriguez	Capital Finance Plan Analyst 3	33JM	9/26/2011	*	12/24/2011	Capital Finance Manager	917E
DAS - IMSD	Laurie	Panella	IT Director Business Development	902E	7/30/2010	*	until filled	Ex Dir3-Chief Info Officer	903E
DAS - Risk Management	Dennis	Dietscher	Employee Safety Coordinator	30M-NR	08/06/11	*	11/01/11	Exec Dir2-Risk Manager	902E
DAS -Employee Benefits	Matthew	Hancheck	Fin Analyst Emp Benefits	38M	08/03/11		10/31/11	Director of Employee Benefits	903E
DHHS	Ara	Garcia	HR Coordinator	30M	12/28/2010	*	until filled	HR Manager DHHS	916E
DHHS	Geri	Lyday	ExDir2-Divadmndelq Ctse	902E	12/25/2010	*	until filled	Exdir3 Director of Human Services	903E
DHHS-Disabilities Serv	Mark	Stein	ExDir2-Comm Res Administrator	902E	12/26/2010	*	until filled	ExDir2-Dept Program Director Commse	902E
DTPW Highway Maintenance	Brian	Dranzik	Director of Operations	38M	08/08/11		11/05/11	Director of Highway Operations	902E
DTPW Transportation Services	Andrea	Weddle-Henning	RCM - Highway Design	916E	08/08/11		11/05/11	Transp Design and Construction Engineering Mang	38M
DTPW-Airport	Kevin	Doyme	Fire Fighter Equip Oper	17B	07/31/11		10/28/11	Asst Chief Air Rescue & Fire Fighter	27M
DTPW-Facilities Mgmt	Gary	Waszak	Facilities Maintenance Coordinator	30M	10/16/2010	*	until filled	Executive Director (Facilities Management)	902E
Sheriff	Debra	Burmeister	Deputy Sheriff I	17BZ	08/07/11		11/04/11	Deputy Sheriff Captain	915E
Sheriff	Vernice	Strapp-Pitts	Executive Assistant - Child Support	6PM	12/19/2010	*	until filled	Human Resources Coordinator-Sheriff	30M
Sheriff	Allamont	Perine	Correction Officer I	14Z	10/9/11		1/6/12	Correction Officer Lieutenant	23CM
Sheriff	Anthony	Dodd	Correction Officer I	14Z	10/9/11		1/6/12	Correction Officer Lieutenant	23CM
Sheriff	Brian	Kaebisch	Correction Officer I	14Z	10/9/11		1/6/12	Correction Officer Lieutenant	23CM
Sheriff	Daniel	Kimbrough	Correction Officer I	14Z	10/9/11		1/6/12	Correction Officer Lieutenant	23CM
Sheriff	Daniel	Mccune	Correction Officer I	14Z	10/9/11		1/6/12	Correction Officer Lieutenant	23CM
Sheriff	Edward	Horzewski	Correction Officer I	14Z	10/9/11		1/6/12	Correction Officer Lieutenant	23CM
Sheriff	Erin	Grove	Correction Officer I	14Z	10/9/11		1/6/12	Correction Officer Lieutenant	23CM
Sheriff	George	Gold	Correction Officer I	14Z	10/9/11		1/6/12	Correction Officer Lieutenant	23CM
Sheriff	Jason	Gonzalez	Correction Officer I	14Z	10/9/11		1/6/12	Correction Officer Lieutenant	23CM
Sheriff	Jayne	Hopkins	Correction Officer I	14Z	10/9/11		1/6/12	Correction Officer Lieutenant	23CM
Sheriff	Joseph	Mcclellan	Correction Officer I	14Z	10/9/11		1/6/12	Correction Officer Lieutenant	23CM
Sheriff	Juan	Solis-Marquez	Correction Officer I	14Z	10/9/11		1/6/12	Correction Officer Lieutenant	23CM
Sheriff	Ryan	Mullarky	Correction Officer I	14Z	10/9/11		1/6/12	Correction Officer Lieutenant	23CM
Sheriff	Sarah	Amble	Correction Officer I	14Z	10/9/11		1/6/12	Correction Officer Lieutenant	23CM

*Pursuant to M.C.G.O. 17.085(1), (2), or (7), the TAHC has been extended by the Director of DHR. The County Board of Supervisors and the County Executive must approve the second extension to a *vacant unclassified* position through adoption of a Resolution.

**INTEROFFICE COMMUNICATION
COUNTY OF MILWAUKEE**

DATE: October 11, 2011

TO: Lee Holloway, Chairman, County Board of Supervisors

FROM: Mark A. Grady, Deputy Corporation Counsel
Chair, Employee Benefits Workgroup

SUBJECT: Rule of 75 for FNHP employees

It is requested that this matter be referred to the Committee on Finance and Audit and to the Committee on Personnel.

In September, the County Board adopted ordinance amendments to prevent the potential for increased pension benefits under the Rule of 75 that could occur as a result of any future change by an employee from a represented position to a nonrepresented position. The amendment limited eligibility for the Rule of 75 for nonrepresented employees to only those nonrepresented employees who were eligible for that benefit as of September 29, 2011. The amendment was not intended to change the current pension benefits of any employee.

However, since the adoption of the ordinance, it has been determined that the provision related to members of the Federation of Nurses and Health Professionals was inconsistent with their collective bargaining agreements and with negotiating history. Therefore, the amendment appears to have inappropriately changed the Rule of 75 benefit for current members of FNHP and must be corrected.

Sections 2.11 (2) and 2.11 (9) of the FNHP agreement both address the Rule of 75. The two sections contradict each other with respect to eligibility for the Rule of 75. Section 2.11(9) was agreed to as part of the negotiations for the 1997 agreement. It eliminated the Rule of 75 for members hired after January 1, 1997. Section 2.11(9) provides:

The following shall apply only to members of the Employees' Retirement System prior to January 1, 1997, and does not apply to employees who become members of the Employees' Retirement System on and after January 1, 1997: Members who retire on and after January 1, 1997, shall be eligible for a normal pension when the age of the member when added to his/her years of service equals 75, but this provision shall not apply to any member eligible under 4.5 of Chapter 201, Employees' Retirement System of the County of Milwaukee.

Section 2.11(2) was agreed to as part of the negotiations for the 2001 agreement. It grants eligibility for the Rule of 75 to all current members of FNHP. Section 2.11(2) provides:

Employee-members retiring after February 18, 1982, shall be eligible for a normal pension if employee's employment is terminated on or after employee has attained age 55 and has completed 30 years of service; or if the employee's employment is terminated on or after the employee has attained age 60 and has completed 5 years of service, or if employee's age and pension credits equal 75.

Thus, section 2.11(2) is the later-agreed-upon section and is the governing section. Consequently, all current employees in FNHP bargaining unit positions remain eligible for the Rule of 75.

The attached amendment does two things: it corrects the previous language so that it accurately reflects the provisions of the FNHP collective bargaining agreement and, it eliminates eligibility for the Rule of 75 for members of FNHP hired after January 1, 2013; that is, immediately after the termination of FNHP's 2012 collective bargaining agreement.

An actuarial report related to this change has previously been provided (see attached fiscal note). Likewise, the Pension Study Commission and the Pension Board both reviewed this policy change in September. The attached amendment merely corrects the effective date of this benefit change in order to comply with the current collective bargaining agreement. Therefore, this is merely a technical correction to a drafting error and does not require further review by the Pension Study Commission or the Pension Board.


MARK A. GRADY
Deputy Corporation Counsel

Attachment

cc(w/att.): County Executive Chris Abele
Supervisor Paul Cesarz
Carol Mueller
Jodi Mapp
EBWG

A RESOLUTION

To amend Sections 201.24(4.1) of the Milwaukee County Code of General Ordinances as it pertains to the "Rule of 75".

WHEREAS the County Board of Supervisors recently amended section 201.24(4.1); and

WHEREAS the recent amendment contained language that is inconsistent with the negotiating history with the Federation of Nurses and Health Professionals and that is inconsistent with the provisions of the collective bargaining agreements with the Federation of Nurses and Health Professionals; and

WHEREAS, all current employees covered by the collective bargaining agreement with the Federation of Nurses and Health Professionals remain eligible for the Rule of 75; and

WHEREAS, as a result, the recent amendment as it relates to the members of the Federation of Nurses and Health Professionals was not legally appropriate for adoption by the County Board in the form that it was adopted and must be corrected; and

WHEREAS, because of the past, current and future costs to Milwaukee County and its pension fund related to the Rule of 75, and because policymakers have clearly expressed in prior ordinance amendments their intent to limit the Rule of 75 benefit; and

WHEREAS, changes in state law allow Milwaukee County to eliminate the Rule of 75 for employees hired after the expiration of the 2012 collective bargaining agreement with the Federation of Nurses and Health Professionals;

NOW THEREFORE

BE IT RESOLVED, the Milwaukee County Board of Supervisors hereby amends Section 201.24(4.1) of the Milwaukee County Code of General Ordinances by adopting the following:

AN ORDINANCE

The County Board of Supervisors of the County of Milwaukee does ordain as follows:

SECTION 1. Section 201.24(4.1) of the General Ordinances of Milwaukee County is amended as follows:

Section 4.1. Normal retirement.

(1) (a) A member shall be eligible for a normal pension if his employment is terminated on or after he has attained age fifty-five (55) and has completed thirty (30) years of service, or if his employment is terminated on or after he has attained normal retirement age as defined in section 2.18. Deputy sheriffs shall be eligible to retire at age fifty-seven (57) regardless of their number of years of service or at age fifty-five (55) with at least fifteen (15) years of creditable pension service.

(b) Notwithstanding the provisions of subparagraph (a), a member of the International Association of Machinists and Aerospace Workers whose initial membership date is before January 1, 2012 shall not be eligible for a normal pension until the member has attained normal retirement age as defined in section 2.18 and has completed five (5) years of service.

(c) Notwithstanding the provisions of subparagraph (a), a member of the Federation of Nurses and Health Professionals whose initial membership date is before January 1, 2012 shall not be eligible for a normal pension until the member has attained normal retirement age as defined in section 2.18 and has completed five (5) years of service.

(2) Rule of 75.

(a) A member who, on September 29, 2011, is employed and is not covered by the terms of a collective bargaining agreement, and whose initial membership in the retirement system under section 201.24 began prior to January 1, 2006, and who retires on and after September 1, 1993, shall be eligible for a normal pension when the age of the member when added to his years of service equals seventy-five (75), but this provision shall not apply to any member eligible under section 4.5 nor to any nonrepresented deputy sheriff who was hired as a deputy sheriff after December 31, 1993 and whose appointment to a nonrepresented position was first effective after June 30, 2009, nor to a member who was formerly a represented correction officer who was hired as a correction officer after December 31, 1993 and who was appointed to a non-represented position effective after May 1, 2011.

(b) A member who, on September 29, 2011, is employed and is covered by the terms of a collective bargaining agreement with the American Federation of State, County and Municipal Employees District Council 48, or with the Technicians, Engineers and Architects of Milwaukee County, or with the International Association of Machinists and Aerospace Workers, and whose initial membership date is prior to January 1, 1994, shall be eligible for a normal pension when the age of the member when added to his years of service equals seventy-five (75), but this provision shall not apply to any member eligible under section 4.5.

(c) A member who, ~~on September 29, 2011,~~ is employed and is covered by the terms of a collective bargaining agreement with the Federation of Nurses

and Health Professionals, and whose initial membership date is prior to January 1, ~~1997~~2013, shall be eligible for a normal pension when the age of the member when added to his years of service equals seventy-five (75), but this provision shall not apply to any member eligible under section 4.5.

(d) A member who, on September 29, 2011, is employed and is covered by the terms of a collective bargaining agreement with the Association of Milwaukee County Attorneys, and whose initial membership date is prior to January 1, 2006, shall be eligible for a normal pension when the age of the member when added to his years of service equals seventy-five (75), but this provision shall not apply to any member eligible under section 4.5.

(e) A member who, on September 29, 2011, is employed and is covered by the terms of a collective bargaining agreement with the Milwaukee Building and Construction Trades Council, and whose initial membership date is prior to February 21, 2006, shall be eligible for a normal pension when the age of the member when added to his years of service equals seventy-five (75), but this provision shall not apply to any member eligible under section 4.5.

MILWAUKEE COUNTY FISCAL NOTE FORM

DATE: October 11, 2011

Original Fiscal Note ☒

Substitute Fiscal Note ☐

SUBJECT: A resolution amending section 201.24(4.1) pertaining to eligibility for the Rule of 75 of FNHP represented employees.

FISCAL EFFECT:

☒ No Direct County Fiscal Impact

☐ Increase Capital Expenditures

Existing Staff Time Required

Increase Operating Expenditures
(If checked, check one of two boxes below)

☐ Decrease Capital Expenditures

☐ Increase Capital Revenues

Absorbed Within Agency's Budget

☐ Decrease Capital Revenues

☐ Not Absorbed Within Agency's Budget

☐ Decrease Operating Expenditures

☐ Use of contingent funds

☐ Increase Operating Revenues

☐ Decrease Operating Revenues

Indicate below the dollar change from budget for any submission that is projected to result in increased/decreased expenditures or revenues in the current year.

	Expenditure or Revenue Category	Current Year	Subsequent Year
Operating Budget	Expenditure	0	0
	Revenue	0	0
	Net Cost	0	0
Capital Improvement Budget	Expenditure	0	0
	Revenue	0	0
	Net Cost	0	0

DESCRIPTION OF FISCAL EFFECT

In the space below, you must provide the following information. **Attach additional pages if necessary.**

- A. Briefly describe the nature of the action that is being requested or proposed, and the new or changed conditions that would occur if the request or proposal were adopted.
- B. State the direct costs, savings or anticipated revenues associated with the requested or proposed action in the current budget year and how those were calculated.¹ If annualized or subsequent year fiscal impacts are substantially different from current year impacts, then those shall be stated as well. In addition, cite any one-time costs associated with the action, the source of any new or additional revenues (e.g. State, Federal, user fee or private donation), the use of contingent funds, and/or the use of budgeted appropriations due to surpluses or change in purpose required to fund the requested action.
- C. Discuss the budgetary impacts associated with the proposed action in the current year. A statement that sufficient funds are budgeted should be justified with information regarding the amount of budgeted appropriations in the relevant account and whether that amount is sufficient to offset the cost of the requested action. If relevant, discussion of budgetary impacts in subsequent years also shall be discussed. Subsequent year fiscal impacts shall be noted for the entire period in which the requested or proposed action would be implemented when it is reasonable to do so (i.e. a five-year lease agreement shall specify the costs/savings for each of the five years in question). Otherwise, impacts associated with the existing and subsequent budget years should be cited.
- D. Describe any assumptions or interpretations that were utilized to provide the information on this form.

Approval of this Resolution will not change the current pension benefits for any FNHP employee and therefore will not have a fiscal impact on the County for current FNHP employees. An actuarial report from Buck Consultants dated September 15, 2011 is attached and states, in part, that savings of between \$10,000 and \$50,000 per FNHP represented employee hired after January 1, 2013 will result from elimination of the Rule of 75 after that date.

Department/Prepared By Corporation Counsel

Authorized Signature



Did DAS-Fiscal Staff Review?

Yes X No

¹ If it is assumed that there is no fiscal impact associated with the requested action, then an explanatory statement that justifies that conclusion shall be provided. If precise impacts cannot be calculated, then an estimate or range should be provided.

September 15, 2011

Supervisor Paul M. Cesarz
Chairman
Pension Study Commission
901 N. 9th St.
Milwaukee, WI 53233

Re: Actuary's Review of Non-Represented Employees Ordinance Amendment of Rule of "75" to the Employees' Retirement System

Dear Supervisor Cesarz:

As requested, we have analyzed the actuarial impact on the Milwaukee County Employees' Retirement System of the attached, proposed ordinance amendment to Section 201.24(4.1) of the Milwaukee County Code of General Ordinances as it pertains to the "Rule of 75." Currently, there are various employee groups within the county which could become eligible for the "Rule of 75" if these groups become non-represented. This amendment, if adopted, would eliminate the "Rule of 75" for various represented members who become non-represented.

Actuarial Analysis

The ordinance amendment maintains "status-quo" in the Retirement System in the event that current represented members become non-represented. Specifically, the amendment provides that an employee who is eligible for the Rule of 75 on September 29, 2011 will maintain that eligibility regardless of any change in their position or any change in their union status; conversely, any employee who is not eligible for the Rule of 75 on that date will not become eligible regardless of any change in their position or any change in their union status. Because the amendment does not change any current employee's current eligibility for this benefit, there is no actuarial impact by adopting the proposed ordinance amendment.

There is an actuarial impact, however, if this proposed amendment *is not* adopted. If this amendment is not adopted, and some unknown number of employees changes their status at some unknown date in the future, Retirement System costs will increase. Because of the unknown circumstances regarding any employee's future changes in status, a projection of future savings cannot be calculated. In other similar circumstances, we have calculated a savings (see our report dated April 13, 2011). In this case, we have roughly estimated the impact of not adopting this amendment to be roughly \$10,000 to \$50,000 per member of affected groups that become non-represented and eligible for "Rule of 75," depending on the classification of the employees potentially involved.

The undersigned is a Member of the American Academy of Actuaries and meets the Academy's Qualification Standards to issue this Statement of Actuarial Opinion.

Supervisor Paul M. Cesarz
Chairman
Pension Study Commission
September 15, 2011
Page 2

Please call if you have any questions.

Sincerely,



Larry Langer, ASA, EA, MAAA
Principal, Consulting Actuary

LFL:pl
19150/C7236RET01-Review-Rule-75.doc

cc: Mark Grady
Marco Ruffini

COUNTY OF MILWAUKEE
INTEROFFICE COMMUNICATION

DATE: October 18, 2011

TO: Lee Holloway, Chairman, County Board of Supervisors

FROM: Mark A. Grady, Deputy Corporation Counsel,
Chair, Employee Benefits Workgroup

SUBJECT: Sick Allowance Accrual and Payout or Credit at Retirement

Please refer the attached resolution and ordinance amendment to the Finance and Audit Committee and the Committee on Personnel.

As you know, the question of the appropriate sick allowance policies for employees has been the subject of prior County Board and County Executive action. Ordinance amendments have been adopted previously to make changes to some of these policies. However, despite various prior proposals related to the accrual of sick allowance and the appropriate payment or credit for sick allowance at retirement, final action on these subjects has not been taken.

I understand that you and County Executive Abele have agreed on a proposal to address these subjects. The attached resolution and ordinance amendment reflects that agreement.

Preliminarily, it should be noted that these changes do not affect members of the Deputy Sheriffs Association or the Firefighters Association, as these subjects remain a mandatory subject of collective bargaining for those unions. These changes do affect all other employees.

The attached resolution and ordinance amendment creates a limit or “cap” of 960 hours on the accrual of sick allowance. If a current employee has more accrued hours than that amount, the employee will keep those hours, but will not accrue any more sick allowance hours beyond the amount that they have as of the effective date, unless their usage of sick allowance hours during their continued County employment causes their balance to drop below the 960 hour cap. Such an employee would then begin again to accrue sick allowance hours until such time as they again reach the 960 hour cap.

This change would be effective for all employees (except DSA, FF and FNHP) on January 1, 2012. It would be effective for members of FNHP on January 1, 2013.

The attached proposal also eliminates at the time of retirement any payment of, or credit for, sick allowance hours accrued after the effective dates. Payment of sick allowance hours accrued prior to the effective dates that were not used prior to retirement would continue, as required by prior case decision. The County would utilize a first in, first out principle to track the usage of sick allowance hours.

The attached ordinance also incorporates the varying terms related to payment of sick allowance at retirement contained in the collective bargaining agreements for non-public safety workers. Those agreements will not contain these provisions in the future and these benefits should be memorialized in the ordinances for future reference. With one exception, there is no change in benefits related to the addition of these contract provisions to the ordinances. In order to determine the amount of the payment for unused hours at retirement, the AFSCME contract provided that the most recent hours earned were deemed to have been used first (“last in, first out”). All other employees are subject to a “first in, first out” principle. This “first in, first out” policy is adopted for AFSCME members in the attached ordinance amendments.

The Employee Benefits Workgroup has discussed these proposals and supports them.

MARK A. GRADY

cc: Carol Mueller
Jodi Mapp
George Aldrich
EBWG members

A RESOLUTION

To amend Sections 17.18 and 17.184 of the Milwaukee County Code of General Ordinances as it pertains to sick leave policies.

WHEREAS, current fiscal constraints have forced reconsideration of all provisions of the County's compensation package, and

WHEREAS, significant savings could be achieved by modifying the sick leave accumulation benefit,

WHEREAS, modifications can be done in a manner that still provides employees the ability to 'bank' sick leave hours for use in the event of a serious medical condition,

NOW THEREFORE,

BE IT RESOLVED, that the Milwaukee County Board of Supervisors hereby amends Sections 17.18 and 17.184 of the Milwaukee County Code of General Ordinances by adopting the following:

AN ORDINANCE

The County Board of Supervisors of the County of Milwaukee does ordain as follows:

Section 1. Section 17.18(1) of the General Ordinances of Milwaukee County is amended as follows:

17.18. Leave of absence with pay on account of illness or other special causes.

(1) All officers and employees who are compensated on a biweekly or annual basis and are required to work half-time or more, and all hourly employees who are customarily employed forty (40) hours in each calendar week, may be given leave of absence with pay for illness or other special causes of three and seven-tenths (37/10) hours for each pay period, or a proportionate credit for employees who regularly work less than forty (40) hours per week; provided, however, that such credit shall be cancelled for each pay period in which the employee is absent without pay for more than three-eighths of the required hours except absences due to disability in the line of duty or leave for military service.

Such leaves of absence with pay shall be granted solely on account of sickness, bodily injury, or other causes of absence which are considered as sufficient and legitimate excuses for the employee's failure to be present and in attendance on his duties; provided, however:

- (a) That reasons for the absence and the good faith of the employee in taking such leave shall be supported by such reasonable evidence as may be required by the appointing authority including a physician's certificate, personal affidavit, or by other means; and
- (b) ☐ That when the illness of an employee is such as may make it necessary to take leave of absence of more than three (3) days, a statement shall be made to the appointing authority in writing from a licensed physician or from an authorized Christian Scientist practitioner, stating the period of time the employee was unable to work because of illness.

Effective January 1, 2012, employees who are members of the American Federation of State, County and Municipal Employees, the Association of Milwaukee County Attorneys, the Milwaukee Building and Construction Trades Council, the International Association of Machinists and Aerospace Workers or the Technicians, Engineers and Architects of Milwaukee County shall be subject to the provisions of section 17.18 for leave earned hereunder. Effective January 1, 2013, employees who are members of the Federation of Nurses and Health Professionals shall be subject to the provisions of section 17.18 for leave earned hereunder.

Section 2. Section 17.18(8) of the General Ordinances of Milwaukee County is repealed and Section 17.18(9) is re-numbered as 17.18(8) and amended as follows:

17.18. Leave of absence with pay on account of illness or other special causes.

~~(8) — Employees who have applied for retirement by filing an application with the proper official of the retirement system of which they are members shall be permitted to take any unused leave accumulated under the provisions of this section prior to the effective date of their retirement, not to exceed fifty (50) days plus sixteen (16) hours for each one hundred (100) hours or fraction thereof of accumulated sick leave in excess of four hundred (400) hours. Employees represented by a certified bargaining representative shall not be entitled to retirement leave in excess of thirty (30) days unless the collective bargaining agreement between said representative and the county specifically so provides. Where the needs of the service require the immediate filling of a vacancy resulting from the use of accumulated sick leave by an employee who is retiring,~~

~~the position may be filled in accordance with the provisions of chapter 17 relating to the filling of vacancies, at any time during the period in which the retiring employee is on leave with pay which extends to the date of his/her retirement.~~

(98) All unused leave accrued under the provisions of this section shall be canceled upon the termination of an employee's active employment for any reason other than retirement, in which case the employee shall be eligible for the provisions of 17.184. Except for former employees who were discharged after a hearing before the personnel review board or resigned prior to such a hearing for discharge being heard, or those who have received retirement benefits under Chapter 201 or 203, or those who return to active employment more than three years following their previous termination of employment, former employees who return to active employment with Milwaukee County shall receive twenty percent (20%) of such cancelled leave restored upon re-employment and shall have an additional twenty percent (20%) of such cancelled leave restored after every additional six months of service, except that the total leave restored shall not exceed 960 hours. Individuals who are actively employed with Milwaukee County as of the effective date of this section (May 17, 2000) and had such leave canceled upon termination of prior service with Milwaukee County shall have such canceled leave restored under the provisions of this section.

Section 3. Section 17.18(9) and (10) of the General Ordinances of Milwaukee County are created as follows:

17.18. Leave of absence with pay on account of illness or other special causes.

(9) Notwithstanding any provision in this section to the contrary, effective January 1, 2012, an employee who is not a member of a collective bargaining unit, or an employee who is a member of the American Federation of State, County and Municipal Employees, the Association of Milwaukee County Attorneys, the Milwaukee Building and Construction Trades Council, the International Association of Machinists and Aerospace Workers or the Technicians, Engineers and Architects of Milwaukee County, shall not accrue more than 960 hours of leave under this section.

(a) Such employees whose accrual balance under this section is less than 960 hours as of January 1, 2012, or at any future date, shall continue to accrue leave under this section until such time that their leave balance equals 960 hours. The further accrual of leave shall be suspended until such time that the employee's total accrued leave is less than 960 hours, due to the use of such leave under this section.

(b) Such employees who have accrued more than 960 hours of leave as of January 1, 2012 shall be entitled to retain and utilize such leave, but they shall not accrue any further leave, under this section, until such time as their accrued leave is less than 960 hours, as a result of use of such leave, at which time such employees may again accrue additional leave

up to a maximum of 960 hours. Sick leave earned prior to January 1, 2012 shall be used prior to sick leave earned on and after January 1, 2012 for all hours of sick leave used prior to retirement.

(10) Notwithstanding any provision in this section to the contrary, effective January 1, 2013, an employee who is a member of the Federation of Nurses and Health Professionals shall not accrue more than 960 hours of leave under this section.

(a) Such employees whose accrual balance under this section is less than 960 hours as of January 1, 2013, or at any future date, shall continue to accrue leave under this section until such time that their leave balance equals 960 hours. The further accrual of leave shall be suspended until such time that the employee's total accrued leave is less than 960 hours, due to the use of such leave under this section.

(b) Such employees who have accrued more than 960 hours of leave as of January 1, 2013 shall be entitled to retain and utilize such leave, but they shall not accrue any further leave, under this section, until such time as their accrued leave is less than 960 hours, as a result of use of such leave. Such employees who have accrued more than 960 hours of leave as of January 1, 2013 shall be entitled to retain and utilize such leave, but they shall not accrue any further leave under this section until such time as their accrued leave is less than 960 hours as a result of use of such leave, at which time such employees may again accrue additional leave up to a maximum of 960 hours. Sick leave earned prior to January 1, 2013 shall be used prior to sick leave earned on and after January 1, 2013 for all hours of sick leave used prior to retirement.

Section 4. Section 17.183 of the General Ordinances of Milwaukee County is repealed:

17.183—Retirement Leave

~~Effective January 1, 2001, the provisions of this section shall apply only to those employees who applied for retirement prior to January 1, 2001 and are being paid for retirement leave or other accrued time as of January 1, 2001. After January 1, 2001 the provisions of this section shall also apply to members of those collective bargaining units which continue to have this section incorporated in a collective bargaining agreement. Upon application for retirement, an employee eligible for leave of absence with pay on account of illness or other special causes under 17.18(1) may continue on the payroll until the employee's total retirement leave is liquidated, or may opt to receive a lump sum with the next payroll, the retirement leave benefits to which the employee is entitled under the provisions of section 17.18, unless otherwise provided by collective bargaining agreement. Regardless of the option selected by the employee, payment of county pension and annuity~~

~~benefits shall be postponed until the total number of retirement leave days, for which the employee has been paid have expired; no employee shall accrue additional benefits during such period. Retirement leave payment shall be calculated at the rate of pay in effect for the employee on the employee's last day of work.~~

Section 5. Section 17.184 of the General Ordinances of Milwaukee County is repealed and recreated as follows:

17.184. Sick allowance balance on retirement.

(1) For members set forth in the following subsections, whose membership in the employees' retirement system began prior to January 1, 1994, the member shall receive payment at the time of retirement for unused sick allowance according to the following formulas. Such payment shall be made in a lump sum, and shall not be included in the calculation of the member's final average salary for pension calculation purposes, nor shall such payment impact the member's total pension service credit or the date that retirement benefits will commence. In the event a member of the employees' retirement system who is eligible to retire dies prior to retirement, the payment of the member's accrued sick allowance shall be made to the member's spouse or the beneficiary of the member's retirement benefit. If an employee who has previously retired from the County returns to County employment, the employee shall not be entitled to any sick leave payment based on their earned sick leave hours after being rehired. This section shall not apply to a member who retires under section 201.24(4.5) of the ordinances.

(a) For a member who is a nonrepresented employee at the time of retirement, the payment shall equal four hundred (400) hours plus sixteen (16) hours for each one hundred (100) hours or fraction thereof in excess of four hundred (400) hours of unused sick allowance earned prior to January 1, 2012 times the hourly rate applicable to the valuation of sick pay at the time of the member's retirement. For the purpose of this calculation, sick leave hours used during employment on or after January 1, 2012 shall be deemed utilized in the order in which the sick leave hours were earned; that is, on a "first in, first out" basis. No payment shall be made at the time of retirement for any unused sick leave hours earned, on or after January 1, 2012, or restored under section 17.18(8), on or after January 1, 2012.

(b) For a member who is represented at the time of retirement by District Council 48 of AFSCME, the member shall receive full payment of unused hours earned prior to February 1, 2007 and shall receive payment of twenty-five percent (25%) of unused hours earned on and after February 1, 2007 and prior to January 1, 2012 times the hourly rate applicable to the valuation of sick pay at the time of the member's retirement. For the purpose of this calculation, sick leave hours used during employment on or after January 1, 2012 shall be deemed utilized in the order in which the sick leave hours were

earned; that is, on a "first in, first out" basis. No payment shall be made at the time of retirement for any unused sick leave hours earned, on or after January 1, 2012, or restored under section 17.18(8), on or after January 1, 2012.

(c) For a member who is represented at the time of retirement by the Technicians, Engineers and Architects of Milwaukee County or by the International Association of Machinists, the member shall receive full payment unused hours earned prior to November 4, 2005 and shall receive payment of twenty-five percent (25%) of unused hours earned on and after November 4, 2005 and prior to January 1, 2012 times the hourly rate applicable to the valuation of sick pay at the time of the member's retirement. For the purpose of this calculation, sick leave hours used during employment on or after January 1, 2012 shall be deemed utilized in the order in which the sick leave hours were earned; that is, on a "first in, first out" basis. No payment shall be made at the time of retirement for any unused sick leave hours earned, on or after January 1, 2012, or restored under section 17.18(8), on or after January 1, 2012.

(2) For a member who is represented at the time of retirement by the Milwaukee Building and Construction Trades Council, the member shall receive full payment unused hours earned prior to February 21, 2006 and shall receive payment of twenty-five percent (25%) of unused hours earned on and after February 21, 2006 and prior to January 1, 2012 times the hourly rate applicable to the valuation of sick pay at the time of the member's retirement. For the purpose of this calculation, sick leave hours used during employment on or after January 1, 2012 shall be deemed utilized in the order in which the sick leave hours were earned; that is, on a "first in, first out" basis. No payment shall be made at the time of retirement for any unused sick leave hours earned, on or after January 1, 2012, or restored under section 17.18(8), on or after January 1, 2012. Such payment shall be made in a lump sum, and shall not be included in the calculation of the member's final average salary for pension calculation purposes, nor shall such payment impact the member's total pension service credit or the date that retirement benefits will commence. In the event a member of the employees' retirement system who is eligible to retire dies prior to retirement, the payment of the member's accrued sick allowance shall be made to the member's spouse or the beneficiary of the member's retirement benefit. If an employee who has previously retired from the County returns to County employment, the employee shall not be entitled to any sick leave payment based on their earned sick leave hours after being rehired. This section shall not apply to a member who retires under section 201.24(4.5) of the ordinances.

(3) For a member who is represented at the time of retirement by the Association of Milwaukee County Attorneys, and whose membership in the employees' retirement system began prior to January 1, 2006, the member shall receive full payment at the time of retirement of any unused hours earned prior to November 4, 2005 and shall receive payment of twenty-five percent (25%) of unused hours earned on and after November 4, 2005 and prior to January 1, 2012 times the hourly rate applicable to the valuation of sick pay at the time of

the member's retirement. For the purpose of this calculation, sick leave hours used during employment on or after January 1, 2012 shall be deemed utilized in the order in which the sick leave hours were earned; that is, on a "first in, first out" basis. No payment shall be made at the time of retirement for any unused sick leave hours earned, on or after January 1, 2012, or restored under section 17.18(8), on or after January 1, 2012. Such payment shall be made in a lump sum, and shall not be included in the calculation of the member's final average salary for pension calculation purposes, nor shall such payment impact the member's total pension service credit or the date that retirement benefits will commence. In the event a member of the employees' retirement system who is eligible to retire dies prior to retirement, the payment of the member's accrued sick allowance shall be made to the member's spouse or the beneficiary of the member's retirement benefit. If an employee who has previously retired from the County returns to County employment, the employee shall not be entitled to any sick leave payment based on their earned sick leave hours after being rehired. This section shall not apply to a member who retires under section 201.24(4.5) of the ordinances.

(4) For a member who is represented at the time of retirement by the Federation of Nurses and Health Professionals, and whose membership in the employees' retirement system began prior to September 27, 1995, the member shall receive full payment at the time of retirement of unused hours earned prior to December 16, 2005 and shall receive payment of twenty-five percent (25%) of unused hours earned on and after December 16, 2005 and prior to January 1, 2013 times the hourly rate applicable to the valuation of sick pay at the time of the member's retirement. For the purpose of this calculation, sick leave hours used during employment on or after January 1, 2013 shall be deemed utilized in the order in which the sick leave hours were earned; that is, on a "first in, first out" basis. No payment shall be made at the time of retirement for any unused sick leave hours earned, on or after January 1, 2013, or restored under section 17.18(8), on or after January 1, 2013. Such payment shall be made in a lump sum, and shall not be included in the calculation of the member's final average salary for pension calculation purposes, nor shall such payment impact the member's total pension service credit or the date that retirement benefits will commence. In the event a member of the employees' retirement system who is eligible to retire dies prior to retirement, the payment of the member's accrued sick allowance shall be made to the member's spouse or the beneficiary of the member's retirement benefit. If an employee who has previously retired from the County returns to County employment, the employee shall not be entitled to any sick leave payment based on their earned sick leave hours after being rehired. This section shall not apply to a member who retires under section 201.24(4.5) of the ordinances.

(5) For members set forth in the following subsections, whose membership in the employees' retirement system began on or after January 1, 1994, the member shall receive credit for unused sick allowance at the time of retirement towards the cost of health plan coverage according to the following formulas. Such health insurance coverage must commence within ten years of the member's retirement. When the amount credited is exhausted, the employee or eligible

beneficiary may opt to continue their membership in the County Group Health Benefit Program upon payment of the full monthly cost as noted in 17.14(7) CGO. In the event a member of the employees' retirement system who is eligible to retire dies prior to retirement, a credit of the member's accrued sick allowance shall be provided toward the cost of continuing health insurance coverage for the member's spouse or beneficiary of the member's retirement benefit if such spouse or beneficiary was eligible for coverage prior to the member's death. If an employee who has previously retired from the County returns to County employment, the employee shall not be entitled to any sick leave credit toward the cost of health plan coverage based on their earned sick leave hours after being rehired. This section shall not apply to a member who retires under section 201.24(4.5) of the ordinances.

(a) For a member who is a nonrepresented employee or an elected official with a sick allowance balance at the time of retirement, the credit shall equal four hundred (400) hours plus sixteen (16) hours for each one hundred (100) hours or fraction thereof in excess of four hundred (400) hours of unused sick allowance earned prior to January 1, 2012 times the hourly rate applicable to the valuation of sick allowance at the time of the member's retirement. No credit shall be given at the time of retirement for any unused hours earned, or restored under section 17.18(8), on or after January 1, 2012.

(b) For a member who is represented at the time of retirement by District Council 48 of AFSCME, the member shall receive credit equal to one hundred percent (100%) of unused hours earned prior to January 1, 2012 times the hourly rate applicable to the valuation of sick allowance at the time of the member's retirement. No credit shall be given at the time of retirement for any unused hours earned, or restored under section 17.18(8), on or after January 1, 2012.

(c) For a member who is represented at the time of retirement by the Technicians, Engineers and Architects of Milwaukee County or by the International Association of Machinists, the member shall receive credit equal to one hundred percent (100%) of unused hours earned prior to January 1, 2012 times the hourly rate applicable to the valuation of sick allowance at the time of the member's retirement. No credit shall be given at the time of retirement for any unused hours earned, or restored under section 17.18(8), on or after January 1, 2012.

(6) For a member who is represented at the time of retirement by the Association of Milwaukee County Attorneys, and whose membership in the employees' retirement system began on or after January 1, 2006, the member shall receive credit equal to one hundred percent (100%) of unused hours earned prior to January 1, 2012 times the hourly rate applicable to the valuation of sick allowance at the time of the member's retirement. No credit shall be given at the time of retirement for any unused hours earned, or restored under section 17.18(9), on or after January 1, 2012. Such health insurance coverage must commence within ten years of the member's retirement. When the amount credited is exhausted, the employee or eligible beneficiary may opt to continue

their membership in the County Group Health Benefit Program upon payment of the full monthly cost as noted in 17.14(7) CGO. In the event a member of the employees' retirement system who is eligible to retire dies prior to retirement, a credit of the member's accrued sick allowance shall be provided toward the cost of continuing health insurance coverage for the member's spouse or beneficiary of the member's retirement benefit if such spouse or beneficiary was eligible for coverage prior to the member's death. If an employee who has previously retired from the County returns to County employment, the employee shall not be entitled to any sick leave credit toward the cost of health plan coverage based on their earned sick leave hours after being rehired. This section shall not apply to a member who retires under section 201.24(4.5) of the ordinances.

(7) For a member who is represented at the time of retirement by the Federation of Nurses and Health Professionals, and whose membership in the employees' retirement system began on or after September 27, 1995, the member shall receive credit equal to one hundred percent (100%) of unused hours earned prior to January 1, 2013 times the hourly rate applicable to the valuation of sick allowance at the time of the member's retirement. No credit shall be given at the time of retirement for any unused hours earned, or restored under section 17.18(8), on or after January 1, 2013. Such health insurance coverage must commence within ten years of the member's retirement. When the amount credited is exhausted, the employee or eligible beneficiary may opt to continue their membership in the County Group Health Benefit Program upon payment of the full monthly cost as noted in 17.14(7) CGO. In the event a member of the employees' retirement system who is eligible to retire dies prior to retirement, a credit of the member's accrued sick allowance shall be provided toward the cost of continuing health insurance coverage for the member's spouse or beneficiary of the member's retirement benefit if such spouse or beneficiary was eligible for coverage prior to the member's death. If an employee who has previously retired from the County returns to County employment, the employee shall not be entitled to any sick leave credit toward the cost of health plan coverage based on their earned sick leave hours after being rehired. This section shall not apply to a member who retires under section 201.24(4.5) of the ordinances.

MILWAUKEE COUNTY FISCAL NOTE FORM

DATE: 10/19/2011

Original Fiscal Note ☒

Substitute Fiscal Note ☐

SUBJECT: Sick Leave Capitation at 960 Hours Resolution

FISCAL EFFECT:

- | | |
|--|--|
| <input type="checkbox"/> No Direct County Fiscal Impact | <input type="checkbox"/> Increase Capital Expenditures |
| <input type="checkbox"/> Existing Staff Time Required | <input type="checkbox"/> Decrease Capital Expenditures |
| <input type="checkbox"/> Increase Operating Expenditures
(If checked, check one of two boxes below) | <input type="checkbox"/> Increase Capital Revenues |
| <input type="checkbox"/> Absorbed Within Agency's Budget | <input type="checkbox"/> Decrease Capital Revenues |
| <input type="checkbox"/> Not Absorbed Within Agency's Budget | |
| <input checked="" type="checkbox"/> Decrease Operating Expenditures | <input type="checkbox"/> Use of contingent funds |
| <input type="checkbox"/> Increase Operating Revenues | |
| <input type="checkbox"/> Decrease Operating Revenues | |

Indicate below the dollar change from budget for any submission that is projected to result in increased/decreased expenditures or revenues in the current year.

	Expenditure or Revenue Category	Current Year	Subsequent Year
Operating Budget	Expenditure	0	-80,000
	Revenue	0	0
	Net Cost	0	-80,000
Capital Improvement Budget	Expenditure		
	Revenue		
	Net Cost		

DESCRIPTION OF FISCAL EFFECT

In the space below, you must provide the following information. Attach additional pages if necessary.

- A. Briefly describe the nature of the action that is being requested or proposed, and the new or changed conditions that would occur if the request or proposal were adopted.
- B. State the direct costs, savings or anticipated revenues associated with the requested or proposed action in the current budget year and how those were calculated.¹ If annualized or subsequent year fiscal impacts are substantially different from current year impacts, then those shall be stated as well. In addition, cite any one-time costs associated with the action, the source of any new or additional revenues (e.g. State, Federal, user fee or private donation), the use of contingent funds, and/or the use of budgeted appropriations due to surpluses or change in purpose required to fund the requested action.
- C. Discuss the budgetary impacts associated with the proposed action in the current year. A statement that sufficient funds are budgeted should be justified with information regarding the amount of budgeted appropriations in the relevant account and whether that amount is sufficient to offset the cost of the requested action. If relevant, discussion of budgetary impacts in subsequent years also shall be discussed. Subsequent year fiscal impacts shall be noted for the entire period in which the requested or proposed action would be implemented when it is reasonable to do so (i.e. a five-year lease agreement shall specify the costs/savings for each of the five years in question). Otherwise, impacts associated with the existing and subsequent budget years should be cited.
- D. Describe any assumptions or interpretations that were utilized to provide the information on this form.

A. The County is proposing changes to the ordinances that would change the following as of January 1, 2012 for all unions except Nurses (January 1, 2013) or Deputy Sheriffs or Firefighters:

1. County ordinance 17.18 - Sick Leave Accrual Limit - New employees or employees with a balance of less than 960 hours will only be entitled to sick leave accumulation of up to 960 hours. Employees who currently have more than 960 hours of accrued leave will not earn any additional sick leave until their accrued unused sick balance drops below 960 hours.

2. County Ordinance 17.184 - Retirement Payout - In addition, all sick leave hours earned after January 1, 2012 will not be eligible for payout at retirement under County Ordinance 17.184. All sick leave hours used after January 1, 2012 shall reduce outstanding sick leave accrual balances on a First-in, First out (FIFO) basis, which means that sick leave hours earned and unused prior to January 1, 2012 shall be reduced before new sick leave hours earned are reduced by sick time.

B. The cost for each of the changes to the proposed ordinance is as follows: The provisions will apply as of January 1, 2012 for non-represented employees and all unions (AFSCME, Attorneys, TEAMCO, Trades, and Machinists) except Nurses (January 1, 2013), Deputy Sheriffs, and Firefighters:

1. Sick Leave Accrual Limit - New employees or employees with a balance of less than 960 hours will only be entitled to sick leave accumulation of 960 hours. Employees who currently

¹ If it is assumed that there is no fiscal impact associated with the requested action, then an explanatory statement that justifies that conclusion shall be provided. If precise impacts cannot be calculated, then an estimate or range should be provided.

have more than 960 hours of accrued leave will not earn any additional sick leave until their balance drops below 960 hours. There are a total of 4,100 employees who accrue sick leave hours. Their are 535 employees who currently have a sick leave balance greater than 960 hours. These 535 employees are accruing an additional 44,200 hours of sick leave each year, or 82 hours per employee. These hours can either be used as sick leave or are adding to the accrued balances of employees. These additional accrued sick leave balances could turn into a payable upon the retirement of the employees. Approximately 7,600 hours are being added to the payable balance at retirement for these employees. This is a potential added liability of \$355,000 per year, if all accrued hours were added to an employees accrued sick leave balance. All hours will not be added to accrued balances due to the use of sick leave by employees. In addition, the increase in liability does not mean an increase in annual cost, because the cost only occurs if an employee retires from the County. An assumption of cost savings of \$0 is being made for purposes of this fiscal note in the first year, and \$20,000 in the second year. However, it should be noted with this new policy, the County may experience an increase in annual leave taken by employees, since they cannot earn more than 960 hours.

2. Retirement Sick Leave Payout - No Additional Hours added to Payout - The new policy would, as of January 1, 2012, no longer add sick leave hours to the potential payout at retirement for unused accrued sick leave balances. All future sick leave hours earned would not add to the unused accrued sick leave balances that employees would have as of January 2, 2012. Future sick leave accrual hours would be available for sick leave usage, but not for payout at retirement. In addition, future use of sick leave would reduce the balance of accrued hours as of January 1, 2012, before reducing new sick leave hours earned after January 1, 2012. As a result, the sick leave payout is capped from an hours perspective. Sick leave payout dollars would continue to be adjusted based on the current pay rate of employees. There are 4,100 employees who have sick leave balances. Between 2009 and 2010, the accrued sick leave hours, payable at retirement, increased by 77,000 hours or on average 19 hours per employee. The increase in accrued hours payable at retirement is equivalent to \$1.6 million in an increased liability. The County does not incur any cost for this increased liability until an employee retires. Assuming that the number of sick leave hours payable at retirement increases similarly each year, the County would saved \$80,000 of payout costs based on an average 200 retirements each year. This savings would be a factor each year, which means that in two years, the savings would be double the \$80,000 or \$160,000. In three years the savings would be tripled or \$240,000. Since the wage rate is adjusted each year the accrued liability would continue to increase by \$300,000 each year due to step increases and wage increases. The \$80,000 of savings would include the savings from item 1, so the savings specifically related to item 2 is \$60,000.

C. The savings in the current year would be limited under the two changes being made, but would provide savings over a longer period.

1. Sick Leave Accrual Limit - limit would reduce sick leave hours added to employee balances, which could reduce sick leave payout to retirees in future years. This could save \$0 for the remainder of the year, and \$20,000 in the subsequent year.

2. Retirement Sick Leave Payout - No Additional Hours added to Payout - limit would reduce sick leave hours added to employee balances, which could reduce sick leave payout to retirees in future years. This could save \$0 for the remainder of the year, and \$60,000 in the subsequent year.

D. Calculations were based upon a report of sick and vacation accruals as of December 31, 2010 and December 31, 2009. The analysis is based on all employees, except Deputy Sheriffs, firefighters and nurses. An assumption of 200 retirees per year was made to calculate this estimate.

Department/Prepared By Department of Administrative Services - Scott B. Manske

Authorized Signature _____

Did DAS-Fiscal Staff Review? ☒ Yes ☐ No

**COUNTY OF MILWAUKEE
INTEROFFICE COMMUNICATION**

DATE: October 11, 2011

TO: Supervisor Lee Holloway, Chairman, County Board of Supervisors
Supervisor Joe Sanfelippo, Chairman, Personnel Committee

FROM: Jack Takerian, Director of Transportation & Public Works

SUBJECT: **ORDINANCE CHANGE REQUEST – Assistant Chief of Airport Rescue & Firefighting**

Background

The Adopted 2010 County Budget and a series of subsequent actions approved by the County Board in 2010 and 2011 including reclassification, reallocation, and an ordinance change have created five (5) new positions of Assistant Chief of Airport Rescue & Firefighting. These positions were created to address structural staffing challenges in this vital department at the Airport that provides service and coverage mandated by the Federal Aviation Administration (FAA).

These five new Assistant Chief positions are unique in the Milwaukee County personnel system. These non-represented positions, which are designed to provide management coverage at the airport on a 24/7/365 basis, will work a modified work schedule that will include a combination of shifts of 4 hours, 8 hours, and 24 hours that will result in an average work week of 52 hours or 2,704 hours annually. It is this non-standard schedule, which is not uncommon in the fire service, that has made the creating these new positions correctly more challenging than nearly any other position in Milwaukee County.

One final step remains to complete the creation process for these five positions. Airport staff recommends changing several County Ordinances related to vacation, holiday, sick and personal leave. The purpose of the request is to make the amount of leave allocated to these new positions proportionate with the weekly and annual hours worked and thereby reasonable as compared to other positions in the County.

Rationale for the Ordinance Change Request

The following requested Ordinance Changes

1. Airport Staff recommend deleting *Milwaukee County Ordinance 17.14. Employment Definitions (11) Educational Bonus (b)* which currently provides an annual bonus of up to \$500.00 to the Airport Fire Chief and Assistant Fire Chief positions. The reason for this request is that the new job classifications of Chief & Assistant Chief of Airport Firefighting now require significant educational credentials that the old classifications of Airport Fire Chief and Assistant Airport Fire Chief did not require. Thus providing an educational bonus is no longer needed

to entice the employees to achieve a level of education that is now required at the time of appointment. Furthermore, the pay grades of these new classifications have been set at a level that preempts the need to have additional pay enhancements such as educational pay.

2. Airport Staff recommend deleting ***Milwaukee County Ordinance 17.14. Employment Definitions (12) Longevity Pay (b)*** which currently provides an annual bonus of up to \$365.00 to the Airport Fire Chief and Assistant Fire Chief positions. The new classifications of Chief & Assistant Chief of Airport Fire Fighting now require significant years of experience that the old classifications of Fire and Assistant Fire Chief did not require. Thus providing a longevity pay bonus is no longer necessary. Furthermore, the pay grades of these new classifications have been set at a level that preempts the need to have additional pay enhancements such as longevity pay.
3. Airport Staff recommend that the following be inserted into ***Milwaukee County Ordinance 17.17 Vacations and Holidays (1)***: Assistant Chiefs of Airport Rescue & Firefighting employees shall be allowed annual leave with pay to serve as vacation equivalent to one hundred four (104) hours for each employee who has completed one (1) year or more of service; one hundred fifty six (156) hours for each employee who has completed five (5) years or more of service; two hundred eight (208) hours for each employee who has completed ten (10) years or more of service; two hundred sixty (260) hours for each employee who has completed fifteen (15) years or more of service; and three hundred twelve (312) hours for each employee who has completed twenty (20) years or more of service.

The reason for the request to change the amount of vacation time allocated to the Assistant Chief of Airport Rescue & Firefighting positions is because these new positions will work a modified schedule that will have incumbents working an average of 52 hours per week or 2,704 hours annually. The 2,704 regular work schedule is approximately 1.3 times the number of hours that an employee working a regular 2,080 schedule works. Thus, the recommended number of vacation hours for the Asst Chief positions has been increased proportionally, or multiplied by 1.3. If the vacation allotment for the Asst Chiefs were not increased as recommended, then incumbents in the position would be unable to take a proportionate amount of vacation time as a regular employee as the number of hours allocated would not go as far in a 52 hour per week schedule as they would in a 40 hour per week schedule. For example, if an Asst Chief had 1-5 years of service and were given only 80 hours of vacation, then that person would only be able to take 1.5 weeks of time off due to the 52 hour per week schedule compared to a regular office worker that could 2 weeks off with his/her 40 hour per week schedule.

4. Airport Staff recommend that the following be inserted into ***Milwaukee County Ordinance 17.17 Vacations and Holidays (2)***:
 - a. ...and Assistant Chiefs of Airport Rescue & Firefighting who receive off hours in lieu of holidays..., and
 - b. Assistant Chiefs of Airport Rescue & Firefighting, who receive 109 hours of holiday time in lieu of holidays, shall be granted 54.5 hours, or one half of

the annual allotment, on January 1st of each year and the second half of their annual allotment, 54.5 hours, on August 1st of each year.

The reason for the request to change the amount of holiday time allocated to the Assistant Chiefs of Airport Rescue & Firefighting positions is that these positions will work a modified schedule that is a combination of 8 hour shifts and 24 hour shifts averaging 52 hours per week over a 5 week cycle and totaling 2,704 hours annually. Because holidays are typically granted in 8 hour blocks and the Asst Chiefs may actually work a 24 hour shift on any given holiday, Airport Staff recommends using a system similar to what the Firefighters and Equipment Operators use for both holiday time and personal day time.

Once again the 2,704 hour annual schedule of the Asst Chiefs comes in to play with the holidays. Regular employees that work 2,080 hours annually receive ten (10) eight (8) hour holidays on years without a general election and eleven (11) eight (8) hour holidays on years with a general election. This equates to 80 or 88 hours of holiday time each year for a regular 2,080 employee.

Considering that the Asst Chiefs will work 2,704 hour or 1.3 times as many hours as a regular 2,080 employee, Airport Staff recommend taking the average of the two holiday amounts given to regular employees, or 84 hours, and multiplying that number by 1.3 to achieve an annual holiday allotment of one hundred nine hours (109) for the Asst Chiefs.

The reason for the request to split up of the holiday time allotment is to prevent an employee from leaving the County on January 1 and cashing out a year's worth of accrued holiday time without having actually accrued the holidays. This is currently an issue with the Firefighters and Equipment Operators contract and the manner in which off-days are allocated at the beginning of each year.

5. Airport Staff recommend that the following be inserted into ***Milwaukee County Ordinance 17.172 Personal Days:***
- a. ...Assistant Chiefs of Airport Rescue & Firefighting
 - b. Assistant Chiefs of Airport Rescue & Firefighting shall receive thirty one (31) hours of personal time.
 - c.

Assistant Chiefs of Airport Rescue & Firefighting	
Hired on or before April 30	- 31 hours
From May 1 through August 31	- 20 hours
From September 1 and thereafter	- 10 hours

The reason for the request to change the amount of personal time allocated to the Assistant Chiefs of Airport Rescue & Firefighting positions is that these positions will work a modified schedule that is a combination of 8 hour shifts and 24 hour shifts averaging 52 hours per week over a 5 week cycle and totaling 2,704 hours annually. For this reason, Airport Staff recommends using a system similar to the Firefighters and Equipment Operators for personal day time.

Once again the 2,704 hour annual schedule of the Asst Chiefs comes in to play with the personal days. Regular employees that work 2,080 hours annually receive three (3) personal days for a total of twenty four (24) hours a year. Considering that the Asst Chiefs will work 2,704 hours, or 1.3 times as many hours as a regular 2,080 employee, Airport Staff recommend multiplying the amount of personal time given to regular employees, 24 hours, by 1.3 to achieve an annual personal time allotment of thirty one (31) hours for the Asst Chiefs.

Allocation of the proposed personal time hours for new employees could be done in a manner similar to what is done for regular 2,080 hr employees (see table above).

6. Airport Staff recommend that the following be inserted into ***Milwaukee County Ordinance 17.18. - Leave of absence with pay on account of illness or other special causes:***
 - a. ... , Assistant Chiefs of Airport Rescue & Firefighting who are customarily employed an average of fifty two (52) hours in each calendar week, may be given leave of absence with pay for illness or other special causes of four and eight tenths (48/10) hours for each pay period; ...

The reason for the request to change the amount of sick leave time allocated to the Assistant Chiefs of Airport Rescue & Firefighting positions is that these positions will work a modified schedule that is a combination of 8 hour shifts and 24 hour shifts averaging 52 hours per week over a 5 week cycle and totaling 2,704 hours annually which is equivalent to 1.3 times as many hours as a regular 2,080 employee.

Airport Staff recommend giving the Assistant Chief of Airport Rescue & Firefighting positions 4.8 hours of sick leave per pay period which is 1.3 times the 3.7 hours of sick leave that regular 2,080 hour employees receive per pay period.

Conclusion

The Airport is mandated by the Federal Aviation Administration to ensure adequate coverage of Aircraft Rescue & Firefighting services. In order to meet this obligation in a more efficient and effective manner by ensuring there is a well qualified management presence on a 24/7/365 basis, the Milwaukee County Fire Department has undertaken a structural reorganization that has involved the creation of five new Assistant Chief of Airport Rescue & Firefighting positions. Airport staff recommends that these new positions, which will work over 2,700 hours annually or 1.3 times more than a regular 2,080 employee, accrue the various types of leave available to employees at a proportional rate. The airport is actively recruiting to fill these new positions in hopes of filling the vacancies in the first quarter of 2012.

Fiscal Note

The changes recommended in the ordinance would equalize the compensated time off for employees with a non-standard work schedule and work an average of 2,704 hours annually. The increase in the authorized additional compensated off time, will have no fiscal effect as the total hours to be paid will not change and are included in the annual personnel budget. Airport Fire Department costs are paid by airport revenues; there is no tax levy impact.

	<u>current county ordinance</u>			<u>proposed for Assistant Fire Chief positions</u>		
			annual hours	annual hours	net increase	avg hourly wage
holiday pay *						\$ 25.18
annual allocation	10	days	80	104	24	\$ 604.32
annual allocation (general election yrs)	11	days	88	114.4	26.4	
Personal time						
annual allocation	3	days	24	31.2	7.2	\$ 181.30
vacation time						
completed one year	10	days	80	104	24	
completed five years	15	days	120	156	36	\$ 906.48
completed 10 years	20	days	160	208	48	
completed 15 years	25	days	200	260	60	
completed 20 years	30	days	240	312	72	
value of additional annual compensated off-time (per person)						\$1,692.10

* to be awarded 1/2 of annual allocation on January 1 and August 1 of each year

Prepared by: Terry Blue, Deputy Airport Director – Operations & Maintenance

Approved by:

Jack Takerian,
Director Transportation & Public Works

C. Barry Bateman,
Airport Director

Attachment: Asst Chief of ARFF Timeline Document
Requested Ordinance Changes Document
Resolution
Fiscal Note

cc: Barry Bateman, Airport Director
Chris Abele, County Executive
Supervisor. Michael Mayo, Sr., Chairman, TPW Committee
George Aldrich, Chief of Staff, County Executive's Office
Kimberly Walker, Corporation Counsel
Molly Zillig, Principal Assistant Corporation Counsel
Patrick Farley, Director, Department of Administrative Services
Pamela Bryant, Fiscal & Budget Administrator, Fiscal Affairs Division/DAS
Vince Masterson, Mgt Analyst, Admin & Fiscal Affairs Division/DAS
Candace Richards, Interim Director, Human Resources
Sean Moore, HR Manager, (DPW)
Shawn Niessen, Executive Asst. (Airport)

(Item) From the Director of Transportation & Public Works requesting amendments to Chapter 17 of the Milwaukee County Ordinances to address compensation and off-time accruals for Assistant Chiefs of Airport Rescue & Firefighting at General Mitchell International Airport, by adoption of the following:

RESOLUTION

WHEREAS, the Adopted 2010 County Budget and a series of subsequent actions approved by the County Board in 2010 and 2011 including reclassification, reallocation, and an ordinance change have created five (5) new positions of Assistant Chief of Airport Rescue & Firefighting; and

WHEREAS, these positions were created to address structural staffing challenges in this vital department at the Airport; and

WHEREAS, the department provides service and coverage as mandated by the Federal Aviation Administration (FAA); and

WHEREAS, the positions are unique in the Milwaukee County personnel system; and

WHEREAS, the new classifications of Chief & Assistant Chief of Airport Fire Fighting now require significant education and experience credentials at the time of appointment that the old classifications of Fire and Assistant Fire Chief did not require. Thus, providing an educational bonus and longevity pay is no longer needed to entice prospective candidates to apply for the positions; and

WHEREAS, the Assistant Chiefs of Airport Rescue & Firefighting will work a modified schedule not uncommon to the fire service that will have incumbents working an average of 52 hours per week or 2,704 hours annually; and

WHEREAS, that schedule is approximately 1.3 times the number of hours that an employee working a regular 2,080 schedule works; and

WHEREAS, the recommended number of vacation hours, holiday hours, and personal hours for the Assistant Chief positions has been increased proportionally; and

WHEREAS, if the vacation allotment for the Assistant Chiefs is not increased as recommended, then incumbents in the position would, in effect, have to work more hours to be granted the same amount of vacation time as an employee with a standard 40-hour work week; and

WHEREAS, the request to change the amount of sick leave time allocated to Assistant Chiefs of Airport Rescue & Firefighting positions is similarly based on the

49 modified work schedule; and

50
51 WHEREAS, Airport Staff recommends allocating Assistant Chief of Airport Rescue
52 & Firefighting positions 4.8 hours of sick leave per pay period based on their 2,074
53 annual hours, which is proportionate to the 3.7 hours of sick leave per pay period that
54 2,080 hour employees receive; and

55
56 WHEREAS, the requested amendments would make the amount of leave
57 allocated to these new positions proportionate with the weekly and annual hours
58 worked, and thereby reasonable as compared to other positions in the County; and

59
60 WHEREAS, Airport Fire Department costs are paid by airport revenues; there is no
61 tax levy impact; now, therefore,

62
63 BE IT RESOLVED, that the Director of Transportation and Public Works and the
64 Airport Director are hereby authorized to amend Chapter 17 of the Milwaukee County
65 Code of General Ordinances, to address compensation and off-time accruals for
66 Assistant Chiefs of Airport Rescue & Firefighting at General Mitchell International Airport.

67 68 69 70 **AN ORDINANCE**

71
72 To amend Section 17.14, Section 17.17, Section 17.172, and Section 17.18 of the
73 Milwaukee County Code of General Ordinances of the General Ordinances of
74 Milwaukee County, relating to compensation and off-time accruals for Assistant Chiefs
75 of Airport Rescue & Firefighting at General Mitchell International Airport.

76
77 **Section 1. Section 17.14(11)(b) of the General Ordinances of Milwaukee County, is**
78 **repealed:**

79
80 17.14. - Employment definitions.

81
82 (11)

83
84 Educational bonus.

85
86 (a)

87 The county will make annual payments to deputy sheriff lieutenants, captains,
88 deputy inspector, and inspector, communications supervisor (sheriff's
89 department), director/internal affairs, identification bureau supervisor,
90 investigator (exempt) and chief investigator (exempt) for completion of
91 approved course work equal to the amount paid deputy sheriff I's and II's and
92 deputy sheriff sergeants.

93
94 (b)

95 ~~The county will make annual payments to airport fire chief and assistant airport~~
96 ~~fire chief for completion of approved course work equal to the amount paid~~

97 firefighter and equipment operators and firefighter and equipment operators in
98 charge.
99

100
101 **Section 2.** Section 17.14(12)(b) of the General Ordinances of Milwaukee County, is
102 repealed:

103
104 (12)

105
106 Longevity pay.

107
108 (a)

109 Deputy sheriff lieutenants, captains, deputy inspector, and inspector,
110 communications supervisor (sheriff's department) director/internal affairs and
111 identification bureau supervisor shall be paid longevity equal to the amount
112 paid deputy sheriff I's and II's and deputy sheriff sergeants.
113

114 (b)

115 ~~The airport fire chief and assistant airport fire chief shall be paid longevity pay~~
116 ~~equal to the amount paid firefighter and equipment operators and firefighter~~
117 ~~and equipment operators in charge.~~
118
119

120 **Section 3.** Section 17.17(1) of the General Ordinances of Milwaukee County, is
121 amended as follows:

122
123 17.17. - Vacations and holidays.

124
125 (1)

126 The heads of all departments, bureaus, institutions, boards or commissions shall
127 make provision for, designate, and allow annual leaves with pay to serve as
128 vacation equivalent to eighty (80) hours for each employee who has completed
129 one (1) year or more of service, unless as otherwise may be provided for by
130 collective bargaining agreements; one hundred twenty (120) hours for each
131 employee who has completed five (5) years or more of service; one hundred sixty
132 (160) hours for each employee who has completed ten (10) years or more of
133 service; two hundred (200) hours for each employee who has completed twenty
134 (20) years or more of service; Assistant Chiefs of Airport Rescue & Firefighting,
135 employees shall be allowed annual leave with pay to serve as vacation
136 equivalent to one hundred four (104) hours for each employee who has
137 completed one (1) year or more of service; one hundred fifty six (156) hours for
138 each employee who has completed five (5) years or more of service; two
139 hundred eight (208) hours for each employee who has completed ten (10) years
140 or more of service; two hundred sixty (260) hours for each employee who has
141 completed fifteen (15) years or more of service; and three hundred twelve (312)
142 hours for each employee who has completed twenty (20) years or more of
143 service; firefighter and equipment operators, employees paid on an hourly or per

diem basis who customarily work less than forty (40) hours per week or two thousand eighty (2080) hours per annum, employees paid on a per call or clinic hourly basis, and part-time employees paid on a biweekly basis whose services are required less than half-time, unless as otherwise provided for by collective bargaining agreements; firefighter and equipment operators shall be allowed annual leave with pay to serve as vacation as follows: five (5) work days for each employee who has completed one (1) year or more of service, seven (7) work days for each employee who has completed five (5) years or more of service, ten (10) work days for each employee who has completed ten (10) years or more of service, and twelve (12) work days for each employee who has completed twenty (20) years or more of service. During the first year of employment, an employee may utilize the equivalent of forty (40) hours of vacation after six (6) months of service. Years of service shall include any creditable pension service earned with Milwaukee County, the State of Wisconsin or any municipality within the State of Wisconsin. Any employee who returns to employment with Milwaukee County having previously been involuntarily separated from Milwaukee County employment shall not be entitled to any prior service credit for purposes of vacation entitlement. Effective in 2002 all non-represented employees shall be eligible for five (5) weeks of vacation (two hundred (200) hours) after fifteen (15) years of service and six (6) weeks of vacation (two hundred forty (240) hours) after twenty (20) years of service.

Section 4. Section 17.17(2) of the General Ordinances of Milwaukee County, is amended as follows:

(2)

The following days of each year are holidays: January 1, the third Monday in February, the last Monday in May, July 4, November 11, the fourth Thursday in November, December 25, the day appointed by the governor as Labor Day, and the day of holding the general election in November, unless as otherwise may be provided for by collective bargaining agreements; county department, offices, and institutions may be closed on these holidays: January 1, the last Monday in May, July 4, the first Monday in September, the fourth Thursday in November, and December 25. Effective in 2002 the Friday after the fourth Thursday in November shall be a holiday for non-represented employees and employees who are represented by a collective bargaining unit which has agreed to this provision. All county departments, offices and institutions shall be open to the public for business on all other statutory holidays. All employees, including those in the building and mechanical trades group in section 17.32(2)(c), except employees paid on an hourly or per diem basis and firefighter and equipment operators who receive off days in lieu of holidays and Assistant Chiefs of Airport Rescue & Firefighting who receive off hours in lieu of holidays, shall be granted leave with pay on these days, provided that if an employee is required to work on such days because of the needs of the service, he shall be given equivalent time off or shall receive additional compensation, if such compensation is authorized by the provisions of subsection 17.16(5). Firefighter

and equipment operators, who receive seven (7) off days in lieu of all holidays, shall be granted such off days during their first calendar year of employment as provided for in their collective bargaining agreements. Assistant Chiefs of Airport Rescue & Firefighting, who receive 109 hours of holiday time in lieu of holidays, shall be granted 54.5 hours, or one half of the annual allotment, on January 1st of each year and the second half of the annual allotment, 54.5 hours, on August 1st of each year.

Section 5. Section 17.172 of the General Ordinances of Milwaukee County, is hereby revised to read:

17.172. - Personal days.

Employees entitled to holidays, except Assistant Chiefs of Airport Rescue & Firefighting and firefighters and equipment operators, shall receive three (3) days leave per year known as "personal days" in addition to earned leave by reason of vacation, accrued holidays and compensatory time. Assistant Chiefs of Airport Rescue & Firefighting shall receive thirty one (31) hours of personal time. Employees shall accrue personal days during their first calendar year of employment as follows:

Hired on or before April 30	-three days
From May 1 through August 31	-two days
From September 1 and thereafter	-one day

<u>Assistant Chiefs of Airport Rescue & Firefighting</u>	
<u>Hired on or before April 30</u>	<u>- 31 hours</u>
<u>From May 1 through August 31</u>	<u>- 20 hours</u>
<u>From September 1 and thereafter</u>	<u>- 10 hours</u>

Personal days may be liquidated in accordance with civil service rule VIII, section 3(2)(b) relating to liquidation of compensatory time, except that such days may be taken at any time during the calendar year. Supervisory personnel shall make every reasonable effort to allow employees to make use of personal days as employees see fit, it being understood that the purpose of such leave is to permit employees to be absent from duty for reasons which are not justification for absence under other existing rules relating to leave with pay.

Section 6. Section 17.18(1) of the General Ordinances of Milwaukee County, is

amended as follows:

17.18. - Leave of absence with pay on account of illness or other special causes.

(1)

All officers and employees who are compensated on a biweekly or annual basis and are required to work half-time or more, and all hourly employees who are customarily employed forty (40) hours in each calendar week, may be given leave of absence with pay for illness or other special causes of three and seven-tenths (37/10) hours for each pay period, or a proportionate credit for employees who regularly work less than forty (40) hours per week, Assistant Chiefs of Airport Rescue & Firefighting who are customarily employed an average of fifty two (52) hours in each calendar week, may be given leave of absence with pay for illness or other special causes of four and eight tenths (48/10) hours for each pay period; provided, however, that such credit shall be cancelled for each pay period in which the employee is absent without pay for more than three-eighths of the required hours except absences due to disability in line of duty or leave for military service. Such leaves of absence with pay shall be granted solely on account of sickness, bodily injury, or other causes of absence which are considered as sufficient and legitimate excuses for the employee's failure to be present and in attendance on his duties; provided, however:

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MILWAUKEE COUNTY FISCAL NOTE FORM

DATE: October 11, 2011

Original Fiscal Note ☒

Substitute Fiscal Note ☐

SUBJECT: Ordinance Change Request – Assistant Chief of Airport Rescue & Firefighting

FISCAL EFFECT:

- ☒ No Direct County Fiscal Impact
- ☐ Existing Staff Time Required
- ☐ Increase Operating Expenditures
(If checked, check one of two boxes below)
- ☒ Absorbed Within Agency's Budget
- ☐ Not Absorbed Within Agency's Budget
- ☐ Decrease Operating Expenditures
- ☐ Increase Operating Revenues
- ☐ Decrease Operating Revenues
- ☐ Increase Capital Expenditures
- ☐ Decrease Capital Expenditures
- ☐ Increase Capital Revenues
- ☐ Decrease Capital Revenues
- ☐ Use of Contingent Funds

Indicate below the dollar change from budget for any submission that is projected to result in increased/decreased expenditures or revenues in the current year.

	Expenditure or Revenue Category	Current Year	Subsequent Year
Operating Budget	Expenditure	0	0
	Revenue	0	0
	Net Cost	0	0
Capital Improvement Budget	Expenditure	0	0
	Revenue	0	0
	Net Cost	0	0

DESCRIPTION OF FISCAL EFFECT

In the space below, you must provide the following information. Attach additional pages if necessary.

- A. Briefly describe the nature of the action that is being requested or proposed, and the new or changed conditions that would occur if the request or proposal were adopted.
- B. State the direct costs, savings or anticipated revenues associated with the requested or proposed action in the current budget year and how those were calculated.¹ If annualized or subsequent year fiscal impacts are substantially different from current year impacts, then those shall be stated as well. In addition, cite any one-time costs associated with the action, the source of any new or additional revenues (e.g. State, Federal, user fee or private donation), the use of contingent funds, and/or the use of budgeted appropriations due to surpluses or change in purpose required to fund the requested action.
- C. Discuss the budgetary impacts associated with the proposed action in the current year. A statement that sufficient funds are budgeted should be justified with information regarding the amount of budgeted appropriations in the relevant account and whether that amount is sufficient to offset the cost of the requested action. If relevant, discussion of budgetary impacts in subsequent years also shall be discussed. Subsequent year fiscal impacts shall be noted for the entire period in which the requested or proposed action would be implemented when it is reasonable to do so (i.e. a five-year lease agreement shall specify the costs/savings for each of the five years in question). Otherwise, impacts associated with the existing and subsequent budget years should be cited.
- D. Describe any assumptions or interpretations that were utilized to provide the information on this form.

This report is to request an Ordinance Change in the compensation for the Assistant Chief of Airport Rescue & Firefighting positions. The change would equalize the compensated time off for employees with a non-standard work schedule and work an average of 2,704 hours annually. The increase in the authorized additional compensated off time, will have no fiscal effect as the total hours to be paid will not change and are included in the annual personnel budget. Airport Fire Department costs are paid by airport revenues; There is no tax levy impact.

Department/Prepared by:

Authorized Signature _____

Did DAS-Fiscal Staff Review? ☐ Yes ☐ No

Reviewed by:

¹ If it is assumed that there is no fiscal impact associated with the requested action, then an explanatory statement that justifies that conclusion shall be provided. If precise impacts cannot be calculated, then an estimate or range should be provided.

-COUNTY OF MILWAUKEE-
INTEROFFICE COMMUNICATION

DATE : October 5, 2011

TO : Supervisor Lee Holloway, Chairman, Board of Supervisors
Supervisor Johnny L. Thomas, Chairman, Finance & Audit Committee
Supervisor Joe Sanfelippo, Chairman, Personnel Committee

FROM : Pamela Bryant, Interim Fiscal & Budget Administrator

SUBJECT : Request to create six (6) Human Service Worker Pool positions (pay range 16C).

REQUEST

The Department of Health and Human Services (DHHS) is requesting to create six (6) Human Service Worker Pool positions (pay range 16C), effective October 27, 2011.

BACKGROUND/ANALYSIS

The Disabilities Services Division (DSD) and the Delinquency and Court Services Division (DCSD) of DHHS have experienced a significant amount of vacancies in Human Service Worker (HSW) positions due to retirement and staff turnover. Both divisions use HSWs in various areas that are critical to the services they provide. Vacancies in these divisions result in increased overtime and the interruption of work processes that could lead to violations of program regulations. Currently, the department has funding for 83 FTE HSW positions, of which 23 are currently vacant.

In DCSD, HSW positions are primarily used in the Intake and Probation section. They conduct screenings, assessments, and supervision of youth referred for delinquency and Juveniles in Need of Protection and Service (JIPS) matters. Of the 83 positions that are authorized between the two divisions, DCSD has funding for 41 FTE HSW positions of which 13 are currently vacant. As positions become vacant, caseloads are covered by the existing staff as well as shifts for the 24/7 operation of Custody Intake, resulting in overtime. In 2010, the department incurred \$19,000 of overtime and year-to-date the department has incurred 655 hours of overtime and has paid out \$25,000 of overtime in this section.

In DSD, HSW positions are used in the areas of the Birth to 3 Program, Children's Long-Term Support (CLTS), Family Support, Disability Resource Center operations (DRC) and Adult Protective Services. The division has funding for 42 FTE HSW positions of which 10 are currently vacant. The department currently uses overtime and temporary help to cover vacancies. Vacancies in this division may result in poor program quality, delays in the availability of services, and increased risk of fiscal sanctions due to poor program compliance and audit exceptions. As part of the resource center contract with the State Department of Health and Human Services, the division is required to develop and maintain a staffing plan that describes how it is staffed and how it will meet the requirements of the contract. Continued vacancies in the resource center may result in the division being in violation of State Medicaid Waiver Program Regulations.

In order to obtain some flexibility in meeting the staffing needs of DSD and DCSD, the department is requesting to create a total of six (6) HSW Pool positions, three for each division that would only be utilized as positions become vacant or if grant funds are available.

Although the skill set of HSWs are specialized based on the target population they work with, general skills and experience can be used to temporarily assist these divisions in maintaining the quality of services being provided. The primary responsibility of these positions would be to perform casework or case management duties; coordinate the services of community agencies providing social, health and rehabilitation services for the appropriate target populations; provide client-specific services; document client problems and formulate treatment plans to meet client needs; assist clients in accessing services which will meet their needs; collaborate with interdisciplinary team; apply quality assurance procedures on all services provided by the department or purchased from community agencies; provide client counseling; conduct on-site agency and program monitoring of service delivery, client case file review and agency management; investigate client complaints; maintain case files and database information; and perform other related duties. In addition, these positions would be used to assist in the workload for special projects or grant related project opportunities that may come available.

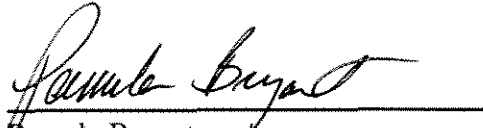
RECOMMENDATION

To maintain the quality of services and to provide flexibility in meeting the staffing needs of DSD and DCSD, the Department of Administrative Services, Fiscal Affairs recommends that the request to create six (6) Human Service Worker Pool positions, effective October 27, 2011, be approved.

FISCAL NOTE

Approval of the request to create six (6) Human Service Worker Pool positions, effective October 27, 2011 will result in no fiscal impact to the County as the positions will only be used to fill in as other HSW positions become vacant or if grant funding is available.

Prepared by:
Antionette Thomas-Bailey
278-4250



Pamela Bryant
Interim Fiscal and Budget Administrator

pc: Chris Abele, County Executive
Candace Richards, Interim-Director of Human Resources
George Aldrich, Chief of Staff, County Executive's Office
Terrence Cooley, Chief of Staff, County Board
Jennifer Collins, County Board Fiscal and Budget Analyst
Geri Lyday, Interim Director, Department of Health and Human Services

1 From the Committee on, Reporting on:

2
3 File No.

4
5 (ITEM NO.) A resolution requesting to create six (6) Human Service Worker Pool
6 positions (pay range 16C), to be shared between the Disabilities Services Division
7 (DSD) and the Delinquency and Court Services Division (DCSD) of the Department of
8 Health and Human Services (DHHS), effective October 27, 2011:

9
10 **A RESOLUTION**

11
12 WHEREAS, The Disabilities Services Division and the Delinquency and Court
13 Services Division of DHHS have experienced a significant amount of vacancies in
14 Human Service Worker positions due to retirement and staff turnover; and

15
16 WHEREAS, this results in increased overtime in DCSD and poor program
17 quality, delays in the availability of services, and increased risk of fiscal sanctions due to
18 poor program compliance and audit exceptions in DSD; and

19
20 WHEREAS, the Department of Health and Human Services requests the creation
21 of six (6) Human Service Worker Pool positions (pay range 16C), to be shared between
22 the two divisions; and

23
24 WHEREAS, the primary responsibility of Human Service Worker Pool positions
25 would be to perform casework or case management duties; coordinate the services of
26 community agencies providing social, health and rehabilitation services for the
27 appropriate target populations; provide client-specific services; document client
28 problems and formulate treatment plans to meet client needs; assist clients in
29 accessing services which will meet their needs; collaborate with interdisciplinary team;
30 apply quality assurance procedures on all services provided by the department or
31 purchased from community agencies; provide client counseling; conduct on-site agency
32 and program monitoring of service delivery, client case file review and agency
33 management; investigate client complaints; maintain case files and database
34 information; and perform other related duties. In addition, these positions would be
35 used to assist in the workload for special projects or grant related project opportunities
36 that may come available; and

37
38 WHEREAS, the requested position actions are necessary to provide flexibility in
39 meeting the staffing needs of DSD and DCSD; and

40
41 WHEREAS, the Department of Administrative Services, Fiscal Affairs
42 recommends that the following request effective October 27, 2011, be approved: create
43 six (6) Human Service Worker Pool positions (pay range 16C); and

44
45 BE IT RESOLVED, that the following position actions are approved, for the
46 Department of Health and Human Services effective October 27, 2011

47				
48	<u>Action</u>	<u>Title</u>	<u>No. of Positions</u>	<u>Pay Range</u>
49	Create	Human Service Worker Pool	6	16C

MILWAUKEE COUNTY FISCAL NOTE FORM

DATE: 10/7/10

Original Fiscal Note ☒

Substitute Fiscal Note ☐

SUBJECT: Request to create six (6) Human Service Worker Pool Positions (pay range 16C) .

FISCAL EFFECT:

- | | |
|---|--|
| <input checked="" type="checkbox"/> No Direct County Fiscal Impact
<input type="checkbox"/> Existing Staff Time Required
<input type="checkbox"/> Increase Operating Expenditures
(If checked, check one of two boxes below)
<input type="checkbox"/> Absorbed Within Agency's Budget
<input type="checkbox"/> Not Absorbed Within Agency's Budget
<input type="checkbox"/> Decrease Operating Expenditures
<input type="checkbox"/> Increase Operating Revenues
<input type="checkbox"/> Decrease Operating Revenues | <input type="checkbox"/> Increase Capital Expenditures
<input type="checkbox"/> Decrease Capital Expenditures
<input type="checkbox"/> Increase Capital Revenues
<input type="checkbox"/> Decrease Capital Revenues
<input type="checkbox"/> Use of contingent funds |
|---|--|

Indicate below the dollar change from budget for any submission that is projected to result in increased/decreased expenditures or revenues in the current year.

	Expenditure or Revenue Category	Current Year	Subsequent Year
Operating Budget	Expenditure	0	0
	Revenue	0	0
	Net Cost	0	0
Capital Improvement Budget	Expenditure		
	Revenue		
	Net Cost		

DESCRIPTION OF FISCAL EFFECT

In the space below, you must provide the following information. Attach additional pages if necessary.

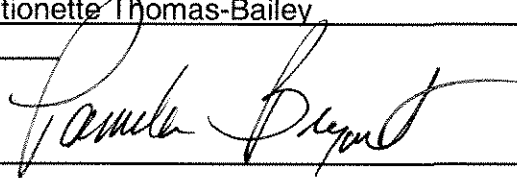
- A. Briefly describe the nature of the action that is being requested or proposed, and the new or changed conditions that would occur if the request or proposal were adopted.
- B. State the direct costs, savings or anticipated revenues associated with the requested or proposed action in the current budget year and how those were calculated.¹ If annualized or subsequent year fiscal impacts are substantially different from current year impacts, then those shall be stated as well. In addition, cite any one-time costs associated with the action, the source of any new or additional revenues (e.g. State, Federal, user fee or private donation), the use of contingent funds, and/or the use of budgeted appropriations due to surpluses or change in purpose required to fund the requested action.
- C. Discuss the budgetary impacts associated with the proposed action in the current year. A statement that sufficient funds are budgeted should be justified with information regarding the amount of budgeted appropriations in the relevant account and whether that amount is sufficient to offset the cost of the requested action. If relevant, discussion of budgetary impacts in subsequent years also shall be discussed. Subsequent year fiscal impacts shall be noted for the entire period in which the requested or proposed action would be implemented when it is reasonable to do so (i.e. a five-year lease agreement shall specify the costs/savings for each of the five years in question). Otherwise, impacts associated with the existing and subsequent budget years should be cited.
- D. Describe any assumptions or interpretations that were utilized to provide the information on this form.

Approval of the creation of six (6) Human Service Worker (HSW) Pool positions to be shared between the Disabilities Services Division and the Delinquency and Court Services Division, to provide flexibility in meeting staffing needs.

There would be no direct fiscal impact to the County in 2011 or 2012, as the positions will only be used to fill in as other HSW positions become vacant or if grant funding is available.

Department/Prepared By Antionette Thomas-Bailey

Authorized Signature



Did DAS-Fiscal Staff Review?



Yes



No

¹ If it is assumed that there is no fiscal impact associated with the requested action, then an explanatory statement that justifies that conclusion shall be provided. If precise impacts cannot be calculated, then an estimate or range should be provided.

COUNTY OF MILWAUKEE
DAS – Division of Human Resources
INTER-OFFICE COMMUNICATION

DATE : September 29, 2011

TO : Committee on Personnel

Candace M. Richards

FROM : Candace Richards, Interim Director of Human Resources

SUBJECT : **Creation Recommended by Finance Committee**

A review of the duties to be assigned to the new position requested by the Department of Health and Human Services has resulted in the following recommendation:

Org. Unit	Title Code	No. of Positions	Recommended Title	Pay Range	Min/Max of Pay Range
8000		6	Human Service Worker Pool	16C	\$33,295 - \$53,335

COUNTY OF MILWAUKEE
Department of Health and Human Services
INTER-OFFICE COMMUNICATION

Referred

JUL - 6 2011

County Board
Chairman

DATE : June 27, 2011

FILE NO. 11-319

TO : Supervisor Lee Holloway, Chairman, Milwaukee County Board of Supervisors

FROM : Geri L. Lyday, Interim Director, Department of Health and Human Services

SUBJECT : **From the Interim Director, Department of Health and Human Services requesting creation of six (6) Human Services Worker pool positions for the Disabilities Services Division and the Delinquency and Court Services Division**

Policy Issue

County Ordinances 1.16 and 1.17 describe the procedures for the creation of new positions. The Department of Health and Human Services (DHHS) is requesting County Board authorization for the creation of six (6) general Human Services Worker (HSW) Pool positions, Pay Range 16C, with an hourly rate of \$25.6422.

Background/Analysis

DHHS makes this request to allow flexibility in meeting temporary or overtime staffing needs as vacancies occur due to retirements, to accommodate grant related projects, and other staff turnover. Pool positions create a useful, short-term staffing alternative to provide critical services throughout an often lengthy recruitment process and to create a cost-effective option to overtime.

Human Services Workers work in a variety of areas in the Disabilities Services Division (DSD) and the Delinquency and Court Services Division (DCSD). While there are distinguishable duties and skill sets between the Division target populations, the availability of staff with the general experience and skills on a short-term basis would be beneficial to ensure quality services. These positions assist in case management, Disability Resource Center operations, Adult Protective Services, Intake and Probation and other key program functions of both DSD and DCSD. They assess individuals for program eligibility and provide required case management services as well as other program compliance activities including protection, various assessments, court-ordered oversight and monitoring as well as linkages to appropriate resources in the community.

These programmatic positions are a critical component of both DSD and DCSD's service array. Without them, DHHS could, because of insufficient staff resource to do critical tasks, be in violation of State Medicaid Waiver program regulations and would be unable to comply with

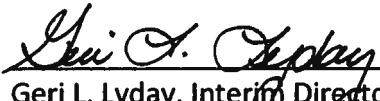
routine court-ordered oversight and monitoring. Moreover, extended vacancies of HSW staff may result in poor program quality, delays in the availability of services, and increased risk of fiscal sanctions due to poor program compliance and audit exceptions. In addition, opportunities to pilot new strategies related to short-term grant opportunities are sometimes deemed not feasible or practical due to immediate cost and or concerns related sustainable personnel funding when grant funds end. Providing the Divisions with an additional option to fulfill staffing needs is a management tool that would improve the Department's ability to mobilize resources as needed and, to the extent possible, pilot new strategies such as grant-related projects.

Recommended Action

It is recommended that DHHS be authorized to create six (6) Human Services Worker Pool positions at the pay range cited above to allow flexibility in meeting DSD and DCSD staffing needs as vacancies occur due to retirements and other staff turnover.

Fiscal Effect

Humans Services Worker pool positions will only be utilized when a full-time position is vacant or grant funds are available. Savings from the vacancy will be used to fund the pool position costs, therefore there is no net fiscal impact.



Geri L. Lyday, Interim Director
Department of Health and Human Services

| cc: Chris Abele, Milwaukee County Executive
Patrick Farley, Administrator - DAS
CJ Pahl, Interim Fiscal & Budget Administrator - DAS
Terrence Cooley, County Board Chief of Staff
Antionette Thomas-Bailey, Analyst - DAS
Jennifer Collins, County Board Staff
Jodi Mapp, County Board Staff

(ITEM *) Report from the Interim Director, Department of Health and Human Services (DHHS), requesting creation of six (6) Human Services Worker pool positions for the Disabilities Services Division and the Delinquency and Court Services Division by adoption of the following:

A RESOLUTION

WHEREAS, Sections 1.16 and 1.17 of the Milwaukee County Ordinances describe the procedures for the creation of new positions; and

WHEREAS, DHHS requires flexibility in meeting temporary or overtime staffing needs as vacancies occur due to retirements, to accommodate grant related projects, and other staff turnover among Human Services Worker positions; and

WHEREAS, Human Services Worker positions These positions assist in case management, Disability Resource Center operations, Adult Protective Services, Intake and Probations and other key program functions of both DSD and DCSD; and

WHEREAS, without adequate coverage of the duties performed by Human Services Workers, DHHS would be in violation of State Medicaid Waiver program regulations, would be unable to comply with routine court-ordered oversight and monitoring; and

WHEREAS, grant-related opportunities and pilot projects would become more feasible and likely for consideration if temporary staffing needs could be met on a timely basis; and

WHEREAS, extended vacancies of Human Services Worker staff will result in poor program quality, delays in the availability of services, and increased risk of fiscal sanctions due to poor program compliance and audit exceptions; now, therefore,

BE IT RESOLVED, that the Interim Director, DHHS, or her designee, is hereby authorized to create six (6) Human Services Worker Pool positions at the pay range cited above to allow flexibility in meeting DSD and DCSD staffing needs as vacancies occur due to retirements and other staff turnover.

MILWAUKEE COUNTY FISCAL NOTE FORM

DATE: 6/23/11

Original Fiscal Note ☒

Substitute Fiscal Note ☐

SUBJECT: Report from the Interim Director, Department of Health and Human Services (DHHS), Requesting Creation of Six Human Services Worker Pool Positions for the Disabilities Services Division and Delinquency and Court Services Division

FISCAL EFFECT:

- | | |
|--|--|
| <input checked="" type="checkbox"/> No Direct County Fiscal Impact | <input type="checkbox"/> Increase Capital Expenditures |
| <input type="checkbox"/> Existing Staff Time Required | <input type="checkbox"/> Decrease Capital Expenditures |
| <input type="checkbox"/> Increase Operating Expenditures
(If checked, check one of two boxes below) | <input type="checkbox"/> Increase Capital Revenues |
| <input type="checkbox"/> Absorbed Within Agency's Budget | <input type="checkbox"/> Decrease Capital Revenues |
| <input type="checkbox"/> Not Absorbed Within Agency's Budget | |
| <input type="checkbox"/> Decrease Operating Expenditures | <input type="checkbox"/> Use of contingent funds |
| <input type="checkbox"/> Increase Operating Revenues | |
| <input type="checkbox"/> Decrease Operating Revenues | |

Indicate below the dollar change from budget for any submission that is projected to result in increased/decreased expenditures or revenues in the current year.

	Expenditure or Revenue Category	Current Year	Subsequent Year
Operating Budget	Expenditure	0	0
	Revenue	0	
	Net Cost	0	0
Capital Improvement Budget	Expenditure		
	Revenue		
	Net Cost		

DESCRIPTION OF FISCAL EFFECT

In the space below, you must provide the following information. Attach additional pages if necessary.

- A. Briefly describe the nature of the action that is being requested or proposed, and the new or changed conditions that would occur if the request or proposal were adopted.
- B. State the direct costs, savings or anticipated revenues associated with the requested or proposed action in the current budget year and how those were calculated.¹ If annualized or subsequent year fiscal impacts are substantially different from current year impacts, then those shall be stated as well. In addition, cite any one-time costs associated with the action, the source of any new or additional revenues (e.g. State, Federal, user fee or private donation), the use of contingent funds, and/or the use of budgeted appropriations due to surpluses or change in purpose required to fund the requested action.
- C. Discuss the budgetary impacts associated with the proposed action in the current year. A statement that sufficient funds are budgeted should be justified with information regarding the amount of budgeted appropriations in the relevant account and whether that amount is sufficient to offset the cost of the requested action. If relevant, discussion of budgetary impacts in subsequent years also shall be discussed. Subsequent year fiscal impacts shall be noted for the entire period in which the requested or proposed action would be implemented when it is reasonable to do so (i.e. a five-year lease agreement shall specify the costs/savings for each of the five years in question). Otherwise, impacts associated with the existing and subsequent budget years should be cited.
- D. Describe any assumptions or interpretations that were utilized to provide the information on this form.

A. Approval of the request would create six Human Services Worker (HSW) pool positions to be shared by the Disabilities Services Division (DSD) and Delinquency and Court Services Division (DCSD) in DHHS.

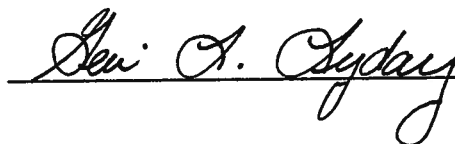
B.) There are no additional costs anticipated with this request. Budgeted funds in salaries and social security from vacant HSW positions would fund the six HSW pool positions.

C.) The pool positions would only be filled as vacancies occurred within the divisions. The savings generated from the budgeted salaries and social security from vacant positions would fund the pool positions.

D. This fiscal note assumes the pool positions would be hired as vacancies occurred and immediately let go once permanent hires were made.

Department/Prepared By Clare O'Brien, DAS assigned to DHHS

Authorized Signature



Did DAS-Fiscal Staff Review?

☐

Yes

☒

No

¹ If it is assumed that there is no fiscal impact associated with the requested action, then an explanatory statement that justifies that conclusion shall be provided. If precise impacts cannot be calculated, then an estimate or range should be provided.

**COUNTY OF MILWAUKEE
INTER-OFFICE COMMUNICATION**

DATE: October 11, 2011

TO: Supervisor Lee Holloway, Chairman, Board of Supervisors
Supervisor Johnny L. Thomas, Chairman, Finance & Audit Committee
Supervisor Joe Sanfelippo, Chairman, Personnel Committee

FROM: Pamela Bryant, Interim Fiscal and Budget Administrator

SUBJECT: DISTRICT ATTORNEY POSITION STUDY

Request

The Office of the District Attorney (District Attorney) is requesting the creation of 1.0 Paralegal position, to be partially funded by a grant from the State of Wisconsin Department of Children and Families (DCF).

Background

The District Attorney is requesting creation of this position due to significant workload in the Termination of Parental Rights (TPR) unit, within the District Attorney's Juvenile Division. The position, referred to as a Permanency Specialist in the State Contract (attached), would be tasked with processing legal documents and coordinating with the Milwaukee Bureau of Child Welfare on the creation of permanency plans for children in foster care. District Attorney staff indicate this is necessary because a backlog of cases could result in violating the federal Adoption and Safe Families Act, which requires identification of permanent placement within certain time limits.

District Attorney fiscal staff indicates the DCF will provide funding in the amount of \$65,000 for the position during the State's 2012 fiscal year, which lasts from July 1 2011 to June 30, 2012. The \$65,000 funding level was provided based on the assumption the position would start in September, and District Attorney fiscal staff indicates the annualized funding for this position under the grant would total approximately \$79,050.

In addition, District Attorney fiscal staff state that creation of this position is necessary to more effectively and quickly process legal documents related to the termination of parental rights cases.

The Department of Administrative Services – Human Resources Division (Human Resources) has studied this request and has recommended the creation of this position with the title of Paralegal Exempt (title code 86261), at pay range 19L. At the midpoint of this pay range (step 4), the estimated active salary, social security and fringe benefit cost of this position for the remaining 3 pay periods of 2011 is estimated at \$8,154, assuming a November 14 start date (the first date of the first pay period following the November 3 Board Meeting). The estimated cost of this position in calendar year 2012 is approximately \$35,333 for the first six months of 2012 up to the expiration of the State's fiscal year. This figure assumes that active fringe benefit costs are similar to those included in the County Executive's 2012 Recommended Budget. Therefore,

sufficient funding is provided by the DCF contract to fund the position through the end of the State's fiscal year. The annualized cost of the position in 2012 is \$70,666.

Recommendation

To ensure proper administration of the significant volume of legal documentation related to TPR cases, to speed up permanency plans for juveniles in foster care, and to comply with federal law, the Department of Administrative Services recommends that the request to create one (1) Paralegal Exempt, be approved. It is further recommended that if DCF funding for the position is not extended beyond the State's 2012 Fiscal Year (expiring on June 30, 2012), the position be abolished on that date unless the District Attorney identifies an alternative funding source.

Report Prepared By: Josh Fudge, Fiscal and Management Analyst III



Pamela Bryant

Interim Fiscal and Budget Administrator

pc: Chris Abele, County Executive
Candace Richards, Interim-Director of Human Resources
George Aldrich, Chief of Staff, County Executive's Office
Terrence Cooley, Chief of Staff, County Board
Rick Ceschin, County Board Fiscal and Budget Analyst
John Chisholm, Milwaukee County District Attorney

(ITEM *)

RESOLUTION

WHEREAS, the district attorney's office has requested the creation of one new position of paralegal, job code 86161, pay range 19L, effective October 2, 2011;

WHEREAS, the new position of paralegal will be assigned to the termination of parental rights (TPR) unit in the juvenile division of the district attorney's office;

WHEREAS, the paralegal will manage, organize and track TPR requests and prepare guardianship pleadings to achieve permanent placements as quickly as possible for children in out-of-home care;

WHEREAS, the district attorney's office has a longstanding, major contract with the state Department of Children and Families for prosecutorial services on Children in Need of Protection and Services (CHIPS) and TPR cases;

WHEREAS, this new position of paralegal will be 100 percent grant-funded by the district attorney's contract with DCF, with DCF providing annualized funding of approximately \$79,050 for the position during state fiscal year 2012 ending on June 30, 2012;

WHEREAS, the creation of this paralegal position will increase expenditures and revenue reimbursement by approximately \$8,154 in the district attorney's 2011 budget for no tax levy effect;

WHEREAS, the district attorney's office will submit a fund transfer request to provide budgetary authority for 2011 expenditures and reimbursement revenue resulting from the creation of this position; now, therefore,

BE IT RESOLVED, that the County Board of Supervisors hereby authorizes and approves the following position action for the district attorney's office, org. unit 4501, effective October 2, 2011:

<u>Action</u>	<u>Title</u>	<u>No. of Positions</u>	<u>Job Code</u>	<u>Pay Range</u>
Create	Paralegal	1.0 FTE	86161	19L

BE IT FURTHER RESOLVED, that if funding for this position is not included in the next annual contract with DCF, effective July 1, 2012, this position will be abolished effective on that date unless the District Attorney identifies an alternative funding source.

MILWAUKEE COUNTY FISCAL NOTE FORM

DATE: 10/11/11

Original Fiscal Note ☒

Substitute Fiscal Note ☐

SUBJECT: Request to create one (1) Paralegal Exempt position (pay range 19L, step 4) at an hourly rate of \$20.7981.

FISCAL EFFECT:

- | | |
|---|--|
| <input type="checkbox"/> No Direct County Fiscal Impact | <input type="checkbox"/> Increase Capital Expenditures |
| <input type="checkbox"/> Existing Staff Time Required | <input type="checkbox"/> Decrease Capital Expenditures |
| <input checked="" type="checkbox"/> Increase Operating Expenditures
(If checked, check one of two boxes below) | <input type="checkbox"/> Increase Capital Revenues |
| <input type="checkbox"/> Absorbed Within Agency's Budget | <input type="checkbox"/> Decrease Capital Revenues |
| <input checked="" type="checkbox"/> Not Absorbed Within Agency's Budget | |
| <input type="checkbox"/> Decrease Operating Expenditures | <input type="checkbox"/> Use of contingent funds |
| <input checked="" type="checkbox"/> Increase Operating Revenues | |
| <input type="checkbox"/> Decrease Operating Revenues | |

Indicate below the dollar change from budget for any submission that is projected to result in increased/decreased expenditures or revenues in the current year.

	Expenditure or Revenue Category	Current Year	Subsequent Year
Operating Budget	Expenditure	8,154	70,666
	Revenue	8,154	70,666
	Net Cost	0	0
Capital Improvement Budget	Expenditure		
	Revenue		
	Net Cost		

DESCRIPTION OF FISCAL EFFECT

In the space below, you must provide the following information. Attach additional pages if necessary.

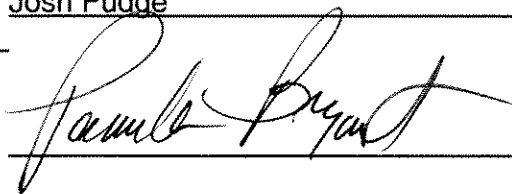
- A. Briefly describe the nature of the action that is being requested or proposed, and the new or changed conditions that would occur if the request or proposal were adopted.
- B. State the direct costs, savings or anticipated revenues associated with the requested or proposed action in the current budget year and how those were calculated. ¹ If annualized or subsequent year fiscal impacts are substantially different from current year impacts, then those shall be stated as well. In addition, cite any one-time costs associated with the action, the source of any new or additional revenues (e.g. State, Federal, user fee or private donation), the use of contingent funds, and/or the use of budgeted appropriations due to surpluses or change in purpose required to fund the requested action.
- C. Discuss the budgetary impacts associated with the proposed action in the current year. A statement that sufficient funds are budgeted should be justified with information regarding the amount of budgeted appropriations in the relevant account and whether that amount is sufficient to offset the cost of the requested action. If relevant, discussion of budgetary impacts in subsequent years also shall be discussed. Subsequent year fiscal impacts shall be noted for the entire period in which the requested or proposed action would be implemented when it is reasonable to do so (i.e. a five-year lease agreement shall specify the costs/savings for each of the five years in question). Otherwise, impacts associated with the existing and subsequent budget years should be cited.
- D. Describe any assumptions or interpretations that were utilized to provide the information on this form.

Approval of the creation of one (1) Paralegal Exempt position within the Juvenile Division of the Office of the District Attorney, to provide improved service and oversight related to Termination of Parental Rights cases.

There would be no direct fiscal impact to the County in 2011 or 2012, as the positions will be funded by grant revenues provided by the State of Wisconsin Department of Children and Families. The 2012 costs and revenues assume the State provides funding for the position during the State's 2013 Fiscal Year, which commences on July 1, 2012. If the State does not provide funding, the position would be abolished on that date for an increase in expenditures and revenues of \$35,333.

Department/Prepared By Josh Fudge

Authorized Signature



Did DAS-Fiscal Staff Review?



Yes



No

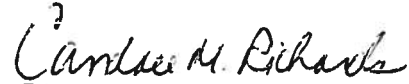
¹ If it is assumed that there is no fiscal impact associated with the requested action, then an explanatory statement that justifies that conclusion shall be provided. If precise impacts cannot be calculated, then an estimate or range should be provided.

COUNTY OF MILWAUKEE
DAS – Division of Human Resources
INTER-OFFICE COMMUNICATION

DATE : August 30, 2011

To : Committee on Personnel

FROM : Candace Richards, Interim Director of Human Resources



SUBJECT : **Creation Recommended by Finance Committee**

A review of the duties to be assigned to the new position requested by the District Attorney Office has resulted in the following recommendation:

Org. Unit	Title Code	No. of Positions	Recommended Title	Pay Range	Min/Max of Pay Range
4501	86161	1	Paralegal Exempt	19L	\$37,908 - \$51,440

COUNTY OF MILWAUKEE
District Attorney's Office
Inter-Office Communication

Date: July 27, 2011
To: County Board of Supervisors
From: District Attorney's Office
Subject: Creation of New Position of Paralegal Position in District Attorney's Office

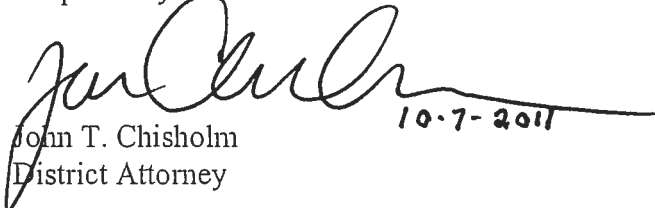
We are requesting, pursuant to section 17.05(1) of the county general ordinances, the creation of a new position of paralegal, job code 86161, pay range 19L, effective October 2, 2011.

The new position of paralegal will be assigned to the termination of parental rights (TPR) unit in the juvenile division of the district attorney's office. The paralegal will manage, organize and track TPR requests and prepare guardianship pleadings to achieve permanent placements as quickly as possible for children in out-of-home care.

The district attorney's office has a longstanding, major contract with the state Department of Children and Families (DCF) for prosecutorial services on Children in Need of Protection and Services (CHIPS) and TPR cases. The DCF contract currently funds 14.5 full-time equivalent (FTE) state and county positions: 8.5 assistant district attorneys, 4.0 paralegals, 1.0 secretarial assistant, and 1.0 clerical assistant 2.

The creation of the new paralegal position will have no tax levy effect because DCF has increased the state fiscal year 2012 CHIPS-TPR contract with the district attorney's office to provide annualized funding of approximately \$79,050 for the new paralegal. The district attorney's office will submit a fund transfer request to provide budgetary authority for 2011 expenditures and reimbursement revenue of approximately \$19,750 resulting from the creation of this position.

Respectfully Submitted


John T. Chisholm
District Attorney
10-7-2011

RESOLUTION

WHEREAS, the district attorney's office requests the creation of one new position of paralegal, job code 86161, pay range 19L, effective October 2, 2011;

WHEREAS, the new position of paralegal will be assigned to the termination of parental rights (TPR) unit in the juvenile division of the district attorney's office;

WHEREAS, the paralegal will manage, organize and track TPR requests and prepare guardianship pleadings to achieve permanent placements as quickly as possible for children in out-of-home care;

WHEREAS, the district attorney's office has a longstanding, major contract with the state Department of Children and Families for prosecutorial services on Children in Need of Protection and Services (CHIPS) and TPR cases;

WHEREAS, this new position of paralegal will be 100 percent grant-funded by the district attorney's contract with DCF, with DCF providing annualized funding of approximately \$79,050 for the position during state fiscal year 2012 ending on June 30, 2012;

WHEREAS, the creation of this paralegal position will increase expenditures and revenue reimbursement by approximately \$19,750 in the district attorney's 2011 budget for no tax levy effect;

WHEREAS, the district attorney's office will submit a fund transfer request to provide budgetary authority for 2011 expenditures and reimbursement revenue resulting from the creation of this position; now, therefore,

BE IT RESOLVED, that the County Board of Supervisors hereby authorizes and approves the following position action for the district attorney's office, org. unit 4501, effective October 2, 2011:

<u>Action</u>	<u>Title</u>	<u>No. of Positions</u>	<u>Job Code</u>	<u>Pay Range</u>
Create	Paralegal	1.0 FTE	86161	19L

MILWAUKEE COUNTY FISCAL NOTE FORM

DATE: August 8, 2011

Original Fiscal Note ☒

Substitute Fiscal Note ☐

SUBJECT: Creation of New State Funded Paralegal Position in District Attorney's Office

FISCAL EFFECT:

☐ No Direct County Fiscal Impact

☐ Increase Capital Expenditures

☐ Existing Staff Time Required

☐ Decrease Capital Expenditures

☒ Increase Operating Expenditures
(If checked, check one of two boxes below)

☐ Increase Capital Revenues

☐ Absorbed Within Agency's Budget

☐ Decrease Capital Revenues

☐ Not Absorbed Within Agency's Budget

☐ Decrease Operating Expenditures

☐ Use of contingent funds

☒ Increase Operating Revenues

☐ Decrease Operating Revenues

Indicate below the dollar change from budget for any submission that is projected to result in increased/decreased expenditures or revenues in the current year.

	Expenditure or Revenue Category	Current Year	Subsequent Year
Operating Budget	Expenditure	19,750	79,050
	Revenue	19,750	79,050
	Net Cost	0	0
Capital Improvement Budget	Expenditure		
	Revenue		
	Net Cost		

DESCRIPTION OF FISCAL EFFECT

In the space below, you must provide the following information. Attach additional pages if necessary.

- A. Briefly describe the nature of the action that is being requested or proposed, and the new or changed conditions that would occur if the request or proposal were adopted.
- B. State the direct costs, savings or anticipated revenues associated with the requested or proposed action in the current budget year and how those were calculated.¹ If annualized or subsequent year fiscal impacts are substantially different from current year impacts, then those shall be stated as well. In addition, cite any one-time costs associated with the action, the source of any new or additional revenues (e.g. State, Federal, user fee or private donation), the use of contingent funds, and/or the use of budgeted appropriations due to surpluses or change in purpose required to fund the requested action.
- C. Discuss the budgetary impacts associated with the proposed action in the current year. A statement that sufficient funds are budgeted should be justified with information regarding the amount of budgeted appropriations in the relevant account and whether that amount is sufficient to offset the cost of the requested action. If relevant, discussion of budgetary impacts in subsequent years also shall be discussed. Subsequent year fiscal impacts shall be noted for the entire period in which the requested or proposed action would be implemented when it is reasonable to do so (i.e. a five-year lease agreement shall specify the costs/savings for each of the five years in question). Otherwise, impacts associated with the existing and subsequent budget years should be cited.
- D. Describe any assumptions or interpretations that were utilized to provide the information on this form.

The district attorney's office has a major contract with the state Department of Children and Families for prosecutorial services on Children in Need of Protection and Services (CHIPS) and termination of parental rights (TPR) cases.

The 2011-12 DCF contract, for the state fiscal year from July 1, 2011, to June 30, 2012, provides funding for a new position of paralegal, at an annualized cost of approximately \$79,050, to manage, organize and track TPR requests and prepare guardianship pleadings to achieve permanent placements as quickly as possible for children in out-of-home care.

¹ If it is assumed that there is no fiscal impact associated with the requested action, then an explanatory statement that justifies that conclusion shall be provided. If precise impacts cannot be calculated, then an estimate or range should be provided.

Department/Prepared By James J. Martin, Deputy District Attorney

Authorized Signature

James J. Martin

Did DAS-Fiscal Staff Review?

☐

Yes

☐

No

MILWAUKEE COUNTY
DEPARTMENT OF ADMINISTRATIVE SERVICES
HUMAN RESOURCES

POSITION DESCRIPTION

OFFICIAL TITLE OF POSITION: Paralegal

NAME OF PRESENT INCUMBENT: N/A

DEPARTMENT: District Attorney

DIVISION: Juvenile

REPORTS TO (Name & Title): Legal Director, District Attorney Termination of Parental Rights Unit

TITLE CODE: 86160 POSITION NUMBER: PAY RANGE: 19L

TYPE OF POSITION : (Check One) FT ☒ PT ☐ Hourly ☐ Seasonal ☐

PURPOSE OF POSITION:

To provide litigation support for the district attorney's office for foster care cases in need of permanency. The purpose of the position is to manage, organize and track guardianship and termination of parental rights (TPR) requests and prepare guardianship pleadings to reach permanency for children in out of home care as quickly as possible.

TITLE(S) OF POSITION(S) SUPERVISED: (must include disciplining and evaluating):
None

DUTIES: Required duties may include, but are not limited to:

-
1. Develop and maintain databases to track information on guardianship and TPR requests and filings;
 2. Use TIME, CJIS, CCAP, Accurint, Enforcer, PROTECT, and other computer databases and systems to search for parents out of contact with the Bureau of Milwaukee Child Welfare (BMCW) to allow service of process of guardianship and TPR pleadings;
 3. Organize and manage case files for guardianship and TPR litigation, including acquiring, organizing, and disseminating discovery materials;
 4. Work with BMCW staff and relative placements to ask the legal questions necessary to determine whether a guardianship or TPR should be filed to reach permanency;
 5. Review court and BMCW documents and case files to assist in filing decisions related to guardianship and TPR pleadings;
 6. Collect necessary documents from the BMCW staff for the filing of TPR and guardianship petitions;

7. Draft guardianship and TPR pleadings;
8. Attend permanency plan reviews, staffings and other hearings to collect information necessary to the filing of TPR and guardianship petitions;
9. Coordinate and schedule legal staffings necessary for the filing of TPR and/or guardianship pleadings.
10. Identify cases that meet federal requirements for no-reasonable efforts findings to review for permanency determinations.

KNOWLEDGE, SKILLS & ABILITIES: Indicate a corresponding knowledge, skill and/or ability required for each of the above indicated duties

1. Knowledge of Wisconsin Statutes and case law;
2. Knowledge of the criminal and juvenile justice systems and criminal and civil law concepts, including legal requirements and procedures for filing criminal complaints and guardianship and TPR petitions ;
3. Knowledge of legal research methods, including computerized legal research and Internet search;
4. Interviewing skills;
5. Analytical skills;
6. Organizational skills;
7. Ability to effectively communicate orally and in writing, and to prepare thorough, accurate, and grammatically correct reports.
8. Proficiency in word processing, database and spreadsheet applications, especially Microsoft Word, Access, and Excel;
9. Ability to plan, assign, and coordinate work on complex tasks, and the ability to work both independently and as part of a team on complex tasks;
10. Ability to perform various business functions in the CJIS, CCAP, JIMS, PROTECT, and KIDS computer systems;
11. Ability to maintain secrecy and discretion and to comply with confidentiality laws in juvenile cases.
12. Ability to professionally and effectively create, promote, and enhance collaborative partnerships between law enforcement agencies, victim services providers, and community organizations.

MINIMUM QUALIFICATIONS:

Education:

Bachelor's degree from an accredited college or university, with a major in paralegal studies, criminal justice, political science or business administration preferred;

Or

Paralegal certificate from an approved college or business institute and four (4) years work experience as a paralegal in a legal environment;

Or

Graduation from high school or a related program and ten (10) years work experience in a legal environment in a government agency or a private law firm.

Relevant work experience must demonstrate the essential knowledge, skills, and abilities, as set forth above.

Experience:

None required. Experience as a practicing paralegal for a government agency or private law firm, or significant experience in a criminal justice setting is preferred. Familiarity with PROTECT case management system is preferred.

Licensure/Certification/Registration:

Valid Wisconsin driver's license; certificate in paralegal studies preferred. Candidate must be eligible for certification as a Notary Public.

Physical Requirements/Demands:

Ability to work harmoniously with others in a stressful workplace; ability to work under the stress of a high volume workload and meet constitutional and statutory deadlines in criminal and juvenile cases; ability to transition fluidly between multiple demands.

Work Environment:

The position will be physically located within the offices of the district attorney at the Vel Phillips Juvenile Justice Center (VPJJC).

Incumbent's Signature: _____ Date: _____

Supervisor's Signature: _____ Date: _____

Department Head's Signature: For John T. Chisholm, District Attorney
James J. New Date: 7-27-2011
Deputy District Attorney

PD03

Funding Information:

Funding Information:				
Contractor: Milwaukee County State DA		Agency Code #: 40	Contract# 230	
		Funding Period: 07/01/11 – 06/30/12 (SFY12)		
Commodity or Service Description	CORE Contract Code Number	Funding	Current Contract Amount	Total Contract Balance
MCPS TPR Legal Services	4037	3210-130-6-G000-6039 = 60% 3210-153-6-G000-6039 = 40%	\$219,360 \$146,240	\$365,600
MCPS Adoption DA 4038 (CORG 4040 Fed= 39% 9038 Local = 61%)	4038 4040 / 9038	Reporting Only / Info Only		
MCPS Foster Care DA 4039 (CORG 4040 FED= 39% 9038 Local = 61%)	4039 4040 / 9039	Reporting Only / Info Only		
MCPS Adoption/FC Pmt Federal	4040	3210-130-6-G000-6039 = 13.57% 3210-153-6-G000-6039 = 86.43%	\$118,000 \$751,644	\$869,644
TOTAL				\$1,235,244

The Department and the Contractor acknowledge that they have read the Contract and the attached exhibits, addendums and requirements, understand them and agree to be bound by their terms and conditions. Further, the Department and the Contractor agree that the Contract and the exhibits and documents incorporated herein by reference are the complete and exclusive statement of the agreement between the parties relating to the subject matter of the Contract and supersede all proposals, letters of intent or prior agreements, oral or written, and all other communications and representations between the parties relating to the subject matter of the Contract.

Signatures

Please sign both originals and return one (State) to the Contract Administrator.

DocuSigned by:
James J. Martin, DDA, for John T. Wachter, DA

7/20/2011

Authorized Representative Signature

Date

James J. Martin, DDA, for John T. Wachter, DA
Milwaukee County District Attorney's office

Print Name and Title of Authorized Representative

DocuSigned by:
Fredi-Ellen Bove

6/23/2011

Fredi-Ellen Bove, Administrator - DSP
Department of Children and Families

Date

DocuSigned by:
Joan Hansen

6/28/2011

Joan Hansen, Deputy Secretary
Department of Children and Families

Date

Milwaukee County District Attorney's Office Permanency Specialist Position - Description

Purpose of Position: To provide litigation support for the District Attorney's Office for foster care cases in need of permanency. The purpose of the position is to manage, organize and track guardianship and termination of parental rights requests and prepare guardianship pleadings to reach permanency for children in out of home care as quickly as possible.

Potential Duties:

1. Develop and maintain databases to track information on guardianship and TPR requests and filings;
2. Use TIME, CJIS, CCAP, Accurant, Enforcer, Protect, and other computer databases and systems to search for parents out of contact with the BMCW to allow service of process of guardianship and TPR pleadings;
3. Organize and manage case files for guardianship and TPR litigation;
4. Work with BMCW staff and relative placements to ask the legal questions necessary to determine whether a guardianship or TPR should be filed to reach permanency;
5. Review court and BMCW documents and case files to assist in filing decisions related to guardianship and TPR pleadings;
6. Collect necessary documents from the BMCW staff for the filing of TPR and guardianship petitions;
7. Draft guardianship and TPR pleadings;
8. Attend permanency plan reviews, staffings and other hearings to collect information necessary to the filing of TPR and guardianship petitions;
9. Coordinate and schedule legal staffings necessary for the filing of TPR and/or guardianship pleadings.
10. Identify cases that meet federal requirements for no-reasonable efforts findings to review for permanency determinations.

Qualifications: Bachelor's Degree from an accredited college or university, with a major in paralegal studies, social work or a child welfare related field; or paralegal certificate from an approved college or business institute and four (4) years work experience as a paralegal in a legal environment; or graduation from high school or related program and ten (10) years work experience in a legal environment or in a government agency, private law firm or public child welfare agency. Relevant work experience must demonstrate the essential knowledge, skills and abilities to perform the duties set forth above. Computer skills including typing, wordprocessing, and database use as well as Internet search are mandatory.

Experience: Non required. Experience as a practicing paralegal for a government agency or private law firm, or significant experience in a criminal justice or child welfare setting is preferred. Familiarity with PROTECT case management system helpful. Experience with using computers in an office setting mandatory.

Pay Range: 19L (approximately \$38,000 - \$51,000)

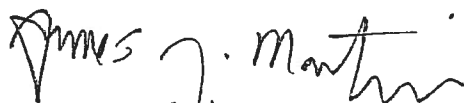
COUNTY OF MILWAUKEE
District Attorney's Office
Inter-Office Communication

Date: July 27, 2011
To: Candace Richards, Acting Director of Human Resources
From: District Attorney's Office
Subject: Creation of New Position of Paralegal in the District Attorney's Office

In September 2011, the County Board will review the district attorney's request to create a new position of paralegal in the termination of parental rights unit in the juvenile division.

Attached are the original and one copy of the position description and a copy of our submission to the County Board.

Thank you for your consideration. Contact me at 414-278-5369 or at Jim.Martin@da.wi.gov if you have any questions.


James J. Martin
Deputy District Attorney

AMENDMENT TO THE COUNTY EXECUTIVE'S 2012 RECOMMENDED BUDGET

By Supervisor Dimitrijevic

Amend Org. Unit No. 1950 – Employee Fringe Benefits, to modify the Wellness Initiative, as follows:

Wellness Initiative. The 2011 Adopted Budget included a provision to contract with United Health Care for a disease management program that focuses wellness efforts on individuals suffering from specific chronic health issues. For 2012, the cost of Disease Management is assumed in the overall health care budget, while \$700,000 \$937,500 is budgeted for this initiative an improved wellness program, beginning April 1, as an investment in improving the health of employees to slow the long-term rate of health benefit cost increases. The wellness program shall be as described here.

The Employee Benefits Division will work with the City of Milwaukee to assess and pursue opportunities for efficiencies and reductions in wellness administrative costs by coordinating the purchasing of wellness services with the City of Milwaukee. Additionally, the Employee Benefits Division will work with the TPA to broaden the definition of preventative health services that can be accessed by without an office visit co-pay, thereby incenting well-checks. The Employee Benefits Workgroup Division is directed to design issue an RFP for an improved wellness program that focuses on adherence as opposed to participation by providing financial incentives for full participation in the program, and surcharges for non-participation or tobacco use. In particular, if an employee fully participates in a health risk assessment with biometric screening, and works in-person with a health coach toward improving their overall health, the employee will be eligible to receive a credit each month toward their health premium contribution. Conversely, an employee who refuses participation and/or is identified as a tobacco user will have a surcharge added to their health premium to account for the impact that decision has on the taxpayer supported County health plan. The credit/surcharge schedule is as follows:

	Single Plan	Family Plan
Participation – non tobacco (Credit)	(\$25)	(\$50)
Participation – tobacco user (surcharge)	\$10	\$20
Non-participation (surcharge)	\$25	\$50

(1C005)

Org Unit No.: 1950

Org. Name.: Employee Fringe

Date: October 26, 2012

The premium health credits and surcharges included in this amendment, based on assumptions regarding participation and an implementation date of April 1, 2012, will decrease revenues derived from premiums by \$1,180,080, offset by increased revenues, based on non-participation and tobacco use, of \$413,028 for a total revenue reduction of \$767,052. Contracting costs are increased \$237,500 to \$937,500, based on an expected annual contracting cost of \$1,250,000, reduced to reflect April 1 implementation.

This amendment would increase tax levy by \$1,004,552.

Org. No.	Department (or Capital Project)	Expenditure	Revenue (or Bonds*)	Tax Levy
1950	Emp. Fringe	\$237,500	(\$767,052)	\$1,004,552
TOTALS:		\$237,500	(\$767,052)	\$1,004,552

If approved, the Adopted Budget narrative shall be modified as needed to reflect this amendment.

FINANCE AND AUDIT COMMITTEE ROLL CALL		
	AYES	NOES
De Bruin		
Mayo		
Schmitt		
Johnson		
Romo West		
Chairman		
TOTALS:		